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WP No. 26145 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

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THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP No. 26145 of 2013

K.M.Kabir,
CT/GD No.914521346,
CISF Unit, VSP,
Visakapattinam, Andra Pradesh.

..Petitioner

Vs

1. The Senior Commandant,
Central Industrial Security Force,
8th Reserve Battalion, Kishtwar,
Jammu and Kashmir.
2. The Deputy Inspector General,
Cisf North Zone, Head Quarters, Saket,
New Delhi.
3. The Deputy Inspector General, Cisf Unit,
NLC, Neyvlei, Cuddalore District.
4. The Inspector General,
North Sector, CISF Campus, Saket,
Malviya Nagar Post, New Delhi 110 017.
5. The Union of India,
Rep. By Its Secretary,
Ministry of Home Affairs, New Delhi.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the 4th respondent dated 15.10.2009 in his Order No.V-11014/RP-12/Kabir/Disc/NS/09/5805, confirming the order of the 2nd respondent dated 15.09.2006 in his Appellate order No.V-11014/ NZ/44/ DISC/ 2006 /113 and confirming the order of the 1st respondent dated 15.04.2006 in his final order No.V-15014/ CISF/8RB/Disc/KMK/U/R-36/06-1295 and quash the same



and to direct the respondents to pay all monetary benefits.

For Petitioner :	Mr.K.Sivakumar
For Respondents:	Mr.A.Manoj Kumar for Mr.M.Balaji

ORDER

The captioned writ petition has been filed challenging the order dated 15.04.2006 passed by the first respondent. By the said order, the petitioner was imposed with the punishment of reduction of pay by one stage for a period of three years with cumulative effect. The said order was confirmed by the Appellate Authority, namely the second respondent, and also by the Revisional Authority, i.e., the fourth respondent.

2. Mr. K. Sivakumar, learned counsel appearing for the petitioner, submitted that as on the date on which the revision petition was filed before the fourth respondent, the petitioner was working under the control of the third respondent and, therefore, this Court has territorial jurisdiction to entertain the writ petition.

3. In support of his submission, the learned counsel placed reliance on the decision of the Hon'ble Apex Court in *Nawal Kishore Sharma v. Union of India and Others*, AIR 2014 SC 3607, wherein it was held that the Patna High Court had jurisdiction to entertain the writ petition, as the representation seeking disability compensation was made when the petitioner therein was residing at Gaya, Bihar, and the order rejecting his claim was communicated to him at his

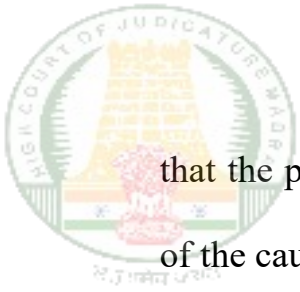


address in Bihar.

4. The learned counsel also placed reliance on the decision of the Hon'ble Apex Court in *Shanti Devi alias Shanti Mishra v. Union of India and Others*, **AIR Online 2020 SC 819**, wherein it was held that the Patna High Court had territorial jurisdiction since the deceased petitioner therein had been continuously receiving pension for the last eight years in his savings bank account maintained with the State Bank of India, Darbhanga, and the stoppage of pension affected him at his native place, thereby depriving him of the benefit of pension which he was receiving from his employer.

5. Further reliance was placed on the decision of the Hon'ble Apex Court in *Union of India v. Alapan Bandyopadhyay, Civil Appeal No.197 of 2022*, wherein it was held that the power of judicial review of an order transferring an original application pending before a Bench of the Tribunal to another Bench under Section 25 of the Act can be exercised only by a Division Bench of the High Court within whose territorial jurisdiction the Bench passing the transfer order is situated.

6. Per contra, the learned counsel appearing for the respondents submitted that this Court lacks territorial jurisdiction to entertain the present writ petition and sought dismissal of the same. In support of his submission, reliance was placed on the decision of the Hon'ble Apex Court in *Oil and Natural Gas Commission v. Utpal Kumar Basu and Others, MANU/SC/0759/1994*, wherein it was held that the High Court cannot exercise jurisdiction merely on the basis



that the petitioner resides within its territorial limits, in the absence of any part of the cause of action having arisen within such jurisdiction.

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7. In the instant case, the alleged misconduct took place within the territorial jurisdiction of the first respondent and the orders of the Appellate Authority as well as the Revisional Authority were passed at New Delhi. Therefore, no part of the cause of action, either wholly or in part, has arisen within the territorial jurisdiction of this Court.

8. The contention of the learned counsel for the petitioner that, at the time of filing the revision petition, the petitioner was working under the control of the third respondent, whose office falls within the territorial jurisdiction of this Court, cannot be accepted. In the cause title, the petitioner has stated that he is a resident of Visakhapatnam, Andhra Pradesh, and in the affidavit, he has stated that he has come down to Chennai temporarily. Mere residence or place of posting, in the absence of any cause of action having arisen within the jurisdiction of this Court, does not confer territorial jurisdiction.

9. Article 226(2) of the Constitution of India provides that a High Court may exercise jurisdiction if the cause of action, wholly or in part, arises within its territorial limits, irrespective of where the authority or Government is situated. However, mere residence of the petitioner or the place where the effect of an order is felt does not confer jurisdiction unless it forms a material part of the cause of action. Moreover, there is no averment that the order passed



by the Revisional Authority was served on him within the territorial jurisdiction of this Court.

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10. Accordingly, the captioned writ petition stands dismissed for want of territorial jurisdiction. It is open to the petitioner to approach the High Court having the appropriate territorial jurisdiction. There shall be no order as to costs.

20-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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HEMANT CHANDANGOUDAR, J.

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