



WEB COPY

A No. 5025 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

A No. 5025 of 2025

IN

CS DR NO. 9711 OF 2025

1. R.Thangam and 2 others
D/o.Thanuvan Chetty alias Thanu,
W/o.P.Ramaswamy, No.7/5, Golden Flats,
Veerasamy Main Road, Palayam Nagar,
Ayanavaram, Chennai 600 023.
2. Ms.T.Nagammai
D/o.Late Thanuvan Chetty alias Thanu,
No.24/7, South Kasara Garden, Aminjikarai,
Chennai 600 029.
3. Mr.T.Ramesh
S/o.Late Thanuvan Chetty alias Thanu, Plot
No.28, Door No.3A, Muthurulandy 1st Cross
Street, New Perungalathur, Chennai 600 063.

..Applicant(s)

Vs

1. Mumtaji alias Malliga,
No.E2/9, New Police Quarters, Raja
Annamalaipuram, Chennai 600 028.
2. The Director General of Police (DG)
Office of the Director General, Chennai District
Police, No.1, Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.
3. The Commissioner of Police
Greater Chennai City Police, Office of the
Commissioner of Police, EAVK, Sampath
Salai, Vepery, Chennai 600 007.



4. The Assistant Commissioner of Police
Greater Chennai City Police,
Office of the Greater Chennai City Traffic,
EVK, Sampath Salai, Vepery, Chennai 600 007.
5. The Assistant Commissioner of Police
Office of the Assistant Commissioner, Chennai
City Police, Mylapore District, Kutcheri Salai,
Mylapore, Chennai 600 004.
6. The Assistant Commissioner of Police
Office of the Assistant Commissioner Raja
Annamalaipuram, Chennai 600 028.
7. The Inspector of Police
E2-Royapettah Police Station - Traffic,
Royapettah, Chennai 600 014.
8. The Inspector of Police
E5, Pattinapakkam Police Station, Law and
Order, Pattinapakkam, Chennai 600 028.
9. The Chief Commissioner
Office of the Tamilnadu State, Information
Commission, Chennai 600 035.

..Respondent(s)

Application filed under Order XIV Rule 8 of Original Side Rules r/w Section 80(2) of Civil Procedure Code, 1908, pleased to pass an order to dispense with the issuance of the said notice against the Respondents 2 to 9/Defendants 2 to 9 under Section 80 CPC consequently permits us to proceed further in the above suit.

For Applicant(s):

M/s.M.S.Mani



ORDER

This application has been filed by the applicants seeking dispensation of the issuance of the notice under Section 80 of Code of Civil Procedure, 1908, as against the respondents 2 to 9/defendants 2 to 9 and consequently to permit them to proceed with further in the above suit.

2. According to the applicants, they are plaintiffs in the main suit filed for relief of recovery of money, for permanent injunction, and for other reliefs. Since Defendants 2 to 9 are Government officials, the present application has been filed with the above said prayer. The suit has been filed in respect of termination benefits payable to the plaintiffs. It is stated that in order to obtain urgent orders, the statutory notice under Section 80 of C.P.C., has to be dispensed with.

3. Considering the nature of the suit and the reasons stated in the affidavit filed in support of this application, this Court raised a query regarding the maintainability of the suit without impleading the Government as a party.

4. The learned counsel appearing for the applicants pointed out that Section 80 of C.P.C., applies to a suit against the Government or against a Public Officer in respect of any act purporting to be done by such public officer



in his official capacity. It is contended that even in the absence of the Government being impleaded as a party, the suit is maintainable against the Public Officers concerned. It is further submitted that, if necessity arises, appropriate amendments would be carried out. Therefore, he prayed for allowing this application for numbering the Civil Suit.

5. Considering the submissions made by the learned counsel for the applicants and having regard to the facts and circumstances of the case, this Court is of the view that it is appropriate to allow this application. Accordingly, notice under Section 80 of C.P.C. is dispensed with.

6. Registry is directed to number the suit, and otherwise if it is in order, and list the matter in the usual course.

27-02-2026
(1/2)

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To

1. The Director General of Police (DG)
Office of the Director General, Chennai District
Police, No.1, Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.
2. The Commissioner of Police
Greater Chennai City Police, Office of the
Commissioner of Police, EAVK, Sampath
Salai, Vepery, Chennai 600 007.
3. The Assistant Commissioner of Police
Greater Chennai City Police, Office of the
Greater Chennai City Traffic, EVK, Sampath
Salai, Vepery, Chennai 600 007.
4. The Assistant Commissioner of Police
Office of the Assistant Commissioner, Chennai
City Police, Mylapore District, Kutcheri Salai,
Mylapore, Chennai 600 004.
5. The Assistant Commissioner of Police
Office of the Assistant Commissioner Raja
Annamalaipuram, Chennai 600 028.
6. The Inspector of Police
E2-Royapettah Police Station - Traffic,
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P.DHANABAL, J.

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