



WP.Crl.(MD)No.272/2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 21.01.2026

CORAM :

THE HONOURABLE MRS. JUSTICE N.MALA

WP.Crl.(MD)No.272/2026

S.Kannan

... Petitioner

vs.

1.The Director General of Police
Vigilance and Anti Corruption
No.293, MKN Road
Alandur, Chennai 600 016.

2.The Superintendent of Police
Pudukkottai District, Pudukkottai.

3.The Deputy Superintendent of Police
Vigilance and Anti Corruption
Pudukkottai, Pudukkottai District.

... Respondents

PRAYER: Writ Petition Criminal is filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 3 to take appropriate action on the petitioner's complaint dated 15.12.2025 and the complaint through e-mail dated 30.12.2025 and 05.01.2026 in terms of *Lalitha Kumari Vs. State of U.P.* reported in **2014 [2] SCC 1** within the stipulated time frame to be fixed by this Court.



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For Petitioner : Mr.S.Satheesh Kumar

For R1 to R3 : Mr.B.Nambi Selvan
Additional Public Prosecutor

ORDER

This writ petition is filed for a writ of Mandamus to direct the respondents 1 to 3 to take appropriate action on the petitioner's complaint dated 15.12.2025 and the complaint sent through e-mail dated 30.12.2025 and 05.01.2026 in terms of *Lalitha Kumari Vs. State of U.P.* reported in *2014 [2] SCC 1* within the stipulated time frame to be fixed by this Court.

2.The petitioner states that the Government of Tamil Nadu started Vocational Courses in the Higher Secondary Schools in 1978 with Part Time Teachers and on 16.07.1990, vide G.O.Ms.No.991, directed the Chief Educational Officers to appoint the Vocational Instructors on part time basis. The petitioner further states that on 30.06.1995, the Government found 358 Vocational Instructors out of 1387 Part Time Instructors, qualified and eligible and directed the rest of the Instructors



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to undergo proper training and subsequently, appointed them as Part Time Vocational Instructors. The petitioner states that thereafter, the Government stopped the appointment of the Part Time Vocational Instructors as no one came forward to work on part time basis. The petitioner further states that he was appointed as Vocational Instructor on 12.10.1998, in Government Sethupathy Higher Secondary School by the Parents Teachers Association, by virtue of the vacancy arose due to the retirement of one Mr.Sivasubramanian. The petitioner's case is that one Mrs.Sivakamasundari, who did not possess the required qualification, was also appointed as Vocational Instructor in the said School and both the petitioner as well as Mrs.Sivakamasundari, worked in the aforesaid School till 31.03.2000. On 31.03.2000, the petitioner was informed that he was relieved from service, retaining Mrs.Sivakamasundari in service. The petitioner states that the said Mrs.Sivakamasundari was considered fit for the post of the Vocational Course, namely, Radio and TV Mechanic, and she was transferred to Kadukkai Valasai Government Higher Secondary School, in Ramanathapuram District on 02.12.2000. The grievance of the petitioner is that though he was fully qualified to be



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appointed as Vocational Instructor and his name also found place in G.O.Ms.No.35, dated 09.02.2007, but by citing a break in service, he was denied appointment. The petitioner states that he has been fighting for a period of 16 years against the appointment of Mrs.Sivakamasundari, who was ineligible, not fully qualified, and who was working in the said capacity without any proper appointment by producing fake documents. Even though the petitioner brought the above facts to the knowledge of the higher authorities by sending repeated complaints/representations through RPAD and through e-mail on 15.12.2025, 30.12.2025 and 05.01.2026, no action was taken on the petitioner's complaints. Hence, the petitioner was constrained to file the above writ petition for the aforesaid relief.

3. The learned Additional Public Prosecutor, submitted that the writ petition is not maintainable since the petitioner has an alternate remedy under Section 175(3) of BNSS, before the jurisdictional court. The learned Additional Public Prosecutor, in support of the aforesaid submission, relied on the order passed by this Court in WP.Crl.(MD)No.1925 of 2025 dated 31.10.2025.



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4. Heard both sides and perused the materials available on record.

5. The facts are not disputed. The petitioner, aggrieved by the action of the respondents 1 to 3, on his complaints dated 15.12.2025, 30.12.2025 and 05.01.2026, has filed the above writ petition.

6.The learned Additional Public Prosecutor submitted that this Court, while considering similar issue in WP.Crl.(MD)No.1925 of 2025, relying on the judgment of the Hon'ble Supreme Court in the case of ***Priyanka Srivastava and another Vs. State of U.P and others*** reported in 2015(6) SCC 287, dismissed the petition on 31.10.2025, on the ground of availability of the alternate remedy.

7.In the aforesaid judgment of the Hon'ble Supreme Court, the Apex Court held that if no action is taken on a complaint, the complainant is entitled to invoke Section 175[3] of BNSS before the jurisdictional Court, to have the complaint registered. Since the



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petitioner has an alternate, efficacious remedy under Section 175[3] of BNSS before the jurisdictional Court, this Court is not inclined to entertain this writ petition.

9. Accordingly, the writ petition is **dismissed**. Needless to say, the petitioner is at liberty to invoke Section 175[3] of BNSS, if so advised.

21.01.2026

NCC : Yes/No
Index : Yes/No
Internet : Yes
AP

To

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N.MALA., J.

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