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Yanose Vs. the Director and ors.

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SooperKanoon Citation : sooperkanoon.com/925784

Court : Chennai

Decided On : Apr-25-2012

Judge : D.Hariparanthaman, J.

Acts : Tamil Nadu Government Servant's Conduct Rules - Rule 22; Constitution of India - Article 226

Appeal No. : Writ Petition (MD) No.4961 of 2011

Appellant : Yanose

Respondent : The Director and ors.

Advocate for Pet/Ap. : Mr.K.P.Narayanakumar, Adv.

Judgement :

Prayer

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the 1st and 3rd respondents to initiate appropriate action against the 5th respondent and may impose maximum punishment to the 5th respondent for violating Rule 22 of Tamil Nadu Government Servant's conducting Rules.

ORDER

1. The writ petition is filed seeking a direction to the respondents 1 and 3 to initiate appropriate action against the 5th respondent and to impose maximum punishment for violation of Rule 22 of the Tamil Nadu Government Servant's Conduct Rules.

2. According to the petitioner, the 5th respondent is employed as Pharmacist in the Kanyakumari Government Medical College Hospital and participated in some agitation, for which, he was imposed only warning as punishment. Hence, the writ petition is filed seeking for appropriate action to impose maximum punishment.

3. In my view, it is for the authorities concerned to decide as to what should be the punishment that could be imposed on its employee. This Court could not interfere in the domain of the respondents 1 to 4 relating to disciplinary matter. Even according to the petitioner, some punishment was imposed and some order was passed. Hence, I am of the view, the writ petition deserves to be dismissed. Accordingly, the same is dismissed. No costs.

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