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WP-1243-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA,
ACTING CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VIJAY KUMAR SHUKLA

ON THE 25th OF JUNE, 2026

WRIT PETITION No. 1243 of 2026

ABHISHEK DUBEY

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

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Appearance:

Petitioner present in person.

Shri Anubhav Jain- Government Advocate for respondent/State.
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ORDER

Per. Vivek Rusia, Acting Chief Justice

The petitioner, who is a practicing Advocate, has invoked the jurisdiction of this Court as a *pro bono publico* in the matter of so called caste-based, derogatory and inflammatory public statement made by respondent No.6 on 23.11.2025 as State President of AJAX. The news was widely published in the newspaper and some of the newspaper clippings are filed as Annexure P-1.

2. According to the petitioner, the respondent No.6 being the senior most officer, should have restrained and maintained dignity while making any statement in the public. He has no right to make such derogatory remarks in respect of any particular caste and society. There is counter



reaction amongst the society after the statement made by him. According to the petitioner, the respondent No.6 has committed gross misconduct in violation of Rule 3 of the All India Services (Conduct) Rules, 1968.

3. By way of this petition the petitioner is seeking following relief(s):-

"11 (I) Issue a writ in the nature of mandamus directing the concern Respondents to forthwith register an FIR against Respondent No.6 for offences punishable under Sections 152, 196 and 197 of the Bharatiya Nyaya Sanhita, 2023, in accordance with law, on the basis of the publicly reported and widely circulated caste-based and derogatory statements made by him;

(II) Issue a writ in the nature of mandamus directing the concern Respondents to take appropriate preventive action under the provisions of the National Security Act, 1980, against Respondent No.6, in view of the fact that his statements have resulted in widespread public agitation, caste-based hostility and disturbance of public order across multiple cities and districts;

(III) Issue a writ in the nature of mandamus directing the concern Respondents to initiate departmental/disciplinary proceedings against Respondent No.6 under the All India Services (Conduct) Rules, 1968, for gross misconduct, abuse of official position and conduct unbecoming of a public servant;

(IV) Issue a writ in the nature of mandamus directing the concern State Govt. to frame specific guideline for welfare of Bramhan Community within time bound period."

4. So far, the relief No.11(I) is concerned, the petitioner submits that an FIR has been registered against the respondent No.6, but there is no development in it. Once an FIR is registered then the relief no.11(I) cannot be granted at this stage.

5. So far, the relief No.11(II) is concerned, no writ or direction can be issued under the National Security Act, 1980 to the competent authority to initiate any action. It is purely prerogative of the concerned authority under



the Act of 1980 to take action.

6. So far, the relief No.11(III) is concerned, no direction can be issued as Union of India has not been impleaded as a respondent.

7. So far, the relief No.11(IV) is concerned, no such direction can be issued by this Court for framing guidelines for welfare of any particular community within time bound.

8. In view of the above, the writ petition is dismissed. The law will take its own course against the respondent No.6.

(VIVEK RUSIA)
ACTING CHIEF JUSTICE

(VIJAY KUMAR SHUKLA)
JUDGE

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