



W.P.(MD) No.10952 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2026

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.10952 of 2026

Sathish Kumar

... Petitioner

Vs.

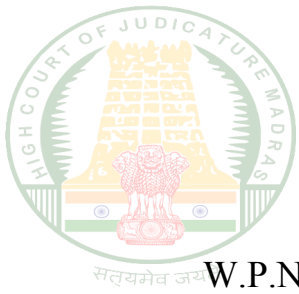
1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Aranthangi, Pudukkottai,
Pudukkottai District.

3.The Tahsildar,
Avudaiyar Kovil Taluk,
Aranthangi,
Pudukkottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 10.01.2026 in terms of circular in Letter No.13519/N/2015-1 dated 23.07.2015, batch of Writ Petitions' order passed by this Court in W.P.Nos.2436, 2471, 2570, 2572 and 2799 of 2011 and 29195 of 2010 and 5206 of 2011 dated 02.07.2012 and



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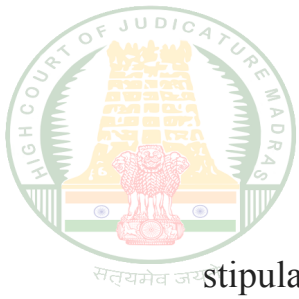
W.P.No.18982 of 2021 dated 09.09.2021 and W.P.No.2820 of 2023 dated 03.02.2023 and W.P.No.25050 of 2024 dated 02.09.2024 to post the petitioner in a far away place from the station of occurrence and post him in non-sensitive post and dispose the representation within the stipulated time fixed by this Court.

For Petitioner : Mr.M.Mathavan

For Respondents : Mr.S.Shaji Bino
Special Government Pleader

ORDER

This Writ Petition has been filed seeking the issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 10.01.2026, in terms of the circular issued in Letter No.13519/N/2015-1 dated 23.07.2015 and in the light of the orders passed by this Court in W.P.Nos.2436, 2471, 2570, 2572 and 2799 of 2011, 29195 of 2010 and 5206 of 2011 dated 02.07.2012, as well as W.P.No. 18982 of 2021 dated 09.09.2021, W.P.No.2820 of 2023 dated 03.02.2023, and W.P.No.25050 of 2024 dated 02.09.2024 and consequently to post the petitioner in a place far away from the station of occurrence, in a non-sensitive post and to dispose of the said representation within the time



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stipulated by this Court.
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2. The petitioner herein, while working as a Village Administrative Officer at Ponnamangalam, Avudaiyar Kovil Taluk, Pudukkottai District, was involved in a Vigilance and Anti-Corruption case under Section 7(a) of the Prevention of Corruption (Amendment) Act, 2018, *vide* Crime No.4 of 2024. Consequently, the petitioner was arrested and thereafter remanded to judicial custody. In the light of the same, the petitioner was placed under suspension by proceedings dated 22.08.2024 and continues to remain under suspension as on date.

3. The grievance of the petitioner in the present Writ Petition is that in view of the prolonged suspension, the petitioner submitted a representation dated 10.01.2026 seeking review and reconsideration of the order of suspension. However, the said representation has remained unattended. Hence, the petitioner has approached this Court by filing the present Writ Petition, complaining of inaction on the part of the respondents.



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4. Mr.S.Shaji Bino, learned Special Government Pleader appearing for the respondents, fairly submitted that the order of suspension is required to be reviewed in terms of G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022 and that appropriate orders will be passed in this regard.

5. In the light of the above, without going into the merits of the case, this Writ Petition is disposed of at the admission stage itself with the consent of both parties.

6. Through G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022, the Government has laid down certain guidelines and provided for the review of suspension from time to time based on the facts and circumstances of each case, in the interest of the State as well as the respective employees, in paragraph 11 of the said G.O., which reads as under:

“11. The Government, after careful examination, reiterates the guidelines issued in the Government



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Order second read above with slight modification as follows:-

(i) The power of ordering suspension should be exercised carefully and with restraint. Before a suspension order is issued, the authority concerned must be clear in mind that it is necessary, Prolonged suspension means that Government pays a Government Servant without extracting any work from him. In view of the above position, the suspension should not be resorted to unless the concerned authority has considered all the relevant factors and recorded his reasoned conclusion that it is in the public interest to place the Government Servant under suspension.

(ii) Where a Government Servant has been suspended on disciplinary proceedings contemplated, such proceedings should be initiated immediately and finalized normally within a period of six months.

(iii) In cases, where a Government Servant has been suspended and the matter has been referred for investigation to the Director of Vigilance and Anti-Corruption for enquiry, the latter should complete the enquiry and send the report to Government through the Vigilance Commission within one year.

(iv) In respect of cases referred to under items (ii) and (iii) above, the authority who ordered the suspension or the Director of Vigilance and Anti-Corruption, as the case may be, should, before the expiry of the period of three months, report the matter to the Head of the Department/Government, indicating the progress of the disciplinary action/investigation by the Director of Vigilance and Anti-Corruption, the reasons for non completion of the work and the further time required for completing the disciplinary action /



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investigation and furnish reasons for continuing the suspension, if continued suspension is felt essential. If the authority which initiated action in the first instance is the Head of the Department, the report has to be sent to Government.

(v) After the initial report referred to in item (iv) above, reports should be sent to Government at the end of every three months, indicating the further progress, so as to enable the Government to review the suspension and the progress of the case, for such action as may be necessary to ensure expeditious disposal.

(vi) The Head of the Department or the Government as the case may be, will examine the cases with reference to the subject matter of the disciplinary action/investigation in progress and the reported stage of progress and permit the continued suspension beyond three months / six months. Where the Government itself, have ordered suspension, it will examine the case on the same lines and pass similar order.

(vii) The disciplinary authorities should ensure that the delay in processing the case is not due to delaying tactics of the Government Servant. They should ensure that all notices issued to the suspended Government Servant should reach him without any loss of time.

(viii) When the disciplinary authority comes to a conclusion suo motu or after conclusion of the investigation by the Director of Vigilance and Anti-Corruption, the disciplinary authority shall, while initiating action by issue of charges under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules or under Rule 3(b) of the Tamil Nadu Police



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Subordinate Services (Discipline and Appeal) Rules, 1955, as the case may be, examine with reference to the facts established, which form the basis for the charges, whether public interest or the needs for further proceedings will require continued suspension of the Government Servant already under suspension.

(ix) The time limits mentioned above will not be applicable to cases of Government Servants against whom criminal proceedings have been initiated. However, while sanctioning prosecution in such a criminal case, an examination similar to the one mentioned in item (viii) above shall be made by the competent authority.

(x) If, on examination of the case under items (vi), (viii) or (ix) above, continued suspension is considered not necessary, the suspension may be revoked in exercise of the powers conferred under Rule 17(e)(6) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules or under Rule 3(e)(5) of the Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules, 1955, as the case may be.

(xi) In cases where the charge in the criminal case involves complicated questions of law and fact and the disciplinary authority is not in a position to finalize the departmental disciplinary proceeding and if the criminal case is based on the vigilance report and is pending before the court of law for which no reasons are expred explicitly, the authority compellent may take a decision by taking up review of suspension and post the Government Servant in a non-sensitive place in consultation with the appropriate investigating authority / Vigilance Commission on case to case basis in view of the reason that prolonged suspension and paying subsistence allowance for a acceptable Such



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revocation of suspension can be made based on the facts of each case and after noticing the reason for the delay in serving the memorandum of charges / charge sheet. The decision of the Hon'ble High Court of Madras in P. Kannan case, given in para 5 above, shall be taken into account.

(xii) Suspension will continue to be in force unless it is revoked as mentioned under item (x) above.”

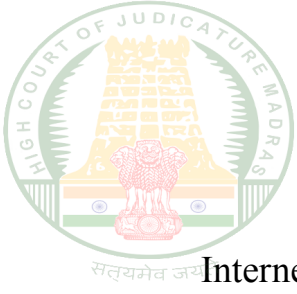
7. In the light of the above, this Writ Petition is disposed of, directing the second respondent to consider the representation dated 10.01.2026 submitted by the petitioner and review the suspension order dated 22.08.2024 issued against him, taking into consideration the guidelines laid down in G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022 and pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of six weeks from the date of receipt of a copy of this order. No costs.

20.04.2026

JEN

NCC : Yes / No

Index : Yes / No



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Internet : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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