



WEB COPY

WP No. 23737 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 23737 of 2026

AND

WMP NO. 26347 OF 2026

S.Sabareesh

..Petitioner(s)

Vs

1. The Additional Chief Secretary To The
Government of Tamilnadu
Commercial Taxes and Registration
Department, No.100, Santhome High Road,
Chennai-28.
2. The Inspector General of Registration
Registration Department, No.100, Santhome
High Road, Chennai-28.

..Respondent(s)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned order in Proc.No.11738/V3/V2/2024 dated 08.12.2025 and Proc.No.33299/Aa3/2025 dated 16.12.2025 issued by the 2ndrespondent and quash by declaring the same as contrary and violative to G.O.(Ms) No.81 Human resources management (N) Department dated 04.08.2022 and consequently direct the 2ndrespondent to revoke my suspension and reinstate the petitioner into service and place in a non-sensitive post pending investigation by following G.O.(Ms).No.81 dated 04.08.2022.



WEB COPY

WP No. 23737 of 2



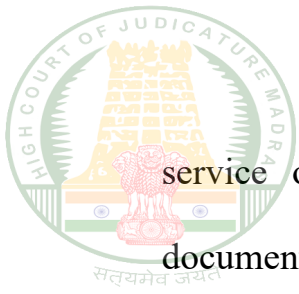
For Petitioner(s): Mr.M.Shreeceraam
For Respondent(s): Mr.A.R.Balaji
Government Advocate

Order

This Writ Petition has been filed for the following relief:

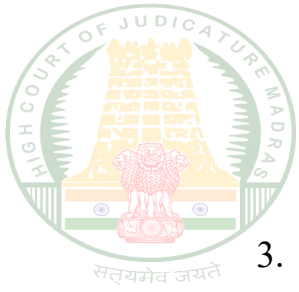
“To issue a Writ of Certiorarified Mandamus calling for the records of the impugned order in Proc.No.11738/V3/V2/2024 dated 08.12.2025 and Proc.No.33299/Aa3/2025 dated 16.12.2025 issued by the 2nd respondent and to quash the same by declaring it as contrary and violative of G.O.(Ms) No.81 Human resources management (N) Department dated 04.08.2022 and consequently direct the 2ndrespondent to revoke my suspension and reinstate the petitioner into service and place him in a non-sensitive post pending investigation by following G.O.(Ms).No.81 dated 04.08.2022.”

2.The petitioner would submit that he was appointed as a Junior Assistant in the Registration Department through TNPSC Group-IV under the Ex-Servicemen quota in March 2019. While he was working at the Tambaram Sub Registrar Office, Chennai, the petitioner was suspended from



service on 08.03.2024 for the alleged misconduct of scanning forged documents into the system with his Login I.D. The petitioner submitted

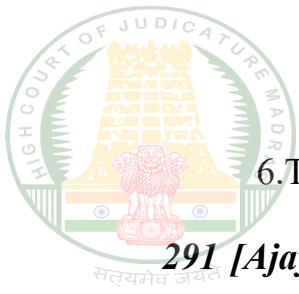
several representations to the respondents seeking reinstatement, which were not considered. Through an RTI application, he came to know that the alleged scanning of forged documents had taken place beyond office hours and that the Login ID was accessed from IP addresses linked to the District Registrar's Office, Chennai South, and not from the Tambaram Sub Registrar Office. It was also revealed that, after the scanning of the forged documents, an "Index Correction Petition" was initiated, and the forged documents were attested by one Latha, Assistant, Tambaram Sub Registrar Office, who had impersonated the Sub Registrar and signed her name on all the documents. Aggrieved by the suspension order, the petitioner filed W.P. No.25954 of 2025 before this Court, and this Court, by order dated 21.07.2025, directed the respondent to consider his representation in the light of G.O.Ms.No.81. Pursuant to the said order, the suspension of the petitioner was extended for an indefinite period on the ground that the departmental and criminal proceedings against him were pending. The petitioner would further submit that the other co-accused in the said criminal case approached this Court to quash the charge sheet in C.C.No.123 of 2026, wherein a stay was granted. Challenging the order extending his suspension, the petitioner is before this Court.



3. The learned counsel for the petitioner would submit that the petitioner has been kept under prolonged suspension on account of the ongoing departmental and criminal proceedings and such continued suspension is impermissible in law. He would further submit that the Hon'ble Supreme Court, in a catena of decisions, has held that suspension cannot be continued for an indefinite period.

4. Heard the learned counsel on either side and perused the records.

5. In the case on hand, the petitioner has been placed under suspension by order dated 08.03.2024 and continues to remain under suspension for an indefinite period. Admittedly, a charge sheet has been issued to the petitioner in C.C.No.123 of 2026 . G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022, has been issued with a view to prevent unnecessary prolonged suspension and mandates periodical review of suspension. However, the 2nd respondent has failed to review the order of suspension periodically as required under the said Government Order.



6. The Hon'ble Supreme Court in the judgment reported in **(2015) 7 SCC 291 [Ajay Kumar Choudhary Vs. Union of India]** has categorically held that the currency of a suspension order should not extend for an indefinite period.

7. This Court, in similar circumstances, has consistently held that an employee cannot be kept under prolonged suspension and has directed the authorities to post such employees in a non-sensitive post pending the proceedings.

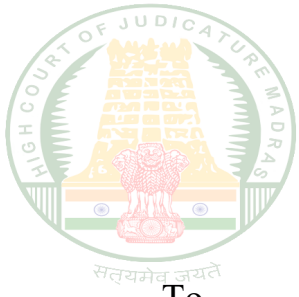
8. In view of the above, this Court is of the considered view that the continued suspension of the petitioner cannot be sustained.

9. Accordingly, this writ petition is partly allowed. The impugned orders are quashed and the petitioner shall be posted in some non-sensitive post where there is no access to the registers or the documents. Consequently, the connected miscellaneous petition is closed. No costs.

25-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SRN



To
WEB COPY

1. The Additional Chief Secretary To The Government of Tamilnadu
Commercial Taxes and Registration Department, No.100,
Santhome High Road, Chennai-28.
2. The Inspector General of Registration
Registration Department, No.100, Santhome High Road, Chennai-28.



WEB COPY

WP No. 23737 of 2



P.T.ASHA J.

SRN

**WP No. 23737 of 2026
AND
WMP NO. 26347 OF 2026**

25-06-2026