

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

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

**WP No. 26071 of 2026
AND
WMP NO. 28463 OF 2026**

S.Ganesan
S/O.K.Sivaraman
Superintendent(Under suspension)
No.11, Shivasakthi Nagar
Pathirikuppam post
cuddalore-607 401

..Petitioner(s)

Vs

1. The Director of School Education
Directorate of School Education
DPI Campus, college Road
Nungambakkam
chennai-600 006
2. The Joint Director of school
Education(personnel)
Office of the Directorate of school Education
DPI Campus,
college Road
Nungambakkam,
chennai-600 006
3. The Chief Educational officer
Cuddalore
Cuddalore District -Pin 607 001



4. The District Educational officer(Private schools)
Cuddalore
Cuddalore District -607 001

..Respondent(s)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for records in R.C.No.070622/A3/S2/2024 dated 22.10.2024 passed by the 2nd respondent and quash /revoke the same and Direct the 2nd respondent to appoint the petitioner in the same cadre.

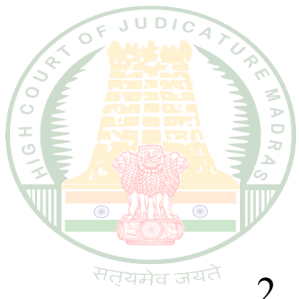
For Petitioner(s): Mr.P.Srinivasan

For Respondent(s): Mr.K.Sathish,

Government Advocate for all
Respondents

ORDER

This Writ Petition has been filed to call for records relating to R.C.No.070622/A3/S2/2024 dated 22.10.2024 passed by the 2nd respondent and quash /revoke the same and consequently direct the 2nd respondent to post the petitioner in the same cadre.



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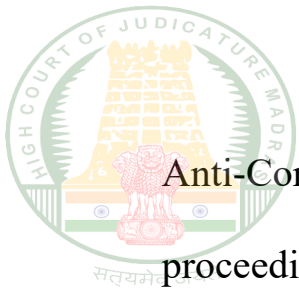
2. The petitioner would submit that he was employed as a Superintendent in the DEO (Private Schools) in the office of the 4th Respondent at Cuddalore and has rendered unblemished service for the past 26 years. While he was assigned general office administration and other duties by the DEO, the petitioner was suspended from service on 22.10.2024 by the 2nd Respondent with retrospective effect from 08.10.2024 on the ground that he was detained in police custody. Subsequently a series of show cause notices dated 08.11.2024, 27.12.2024 and 28.07.2025 were issued. Charges were framed against the petitioner under Rule 17(b) for which he has submitted a detailed explanation. The allegation against the petitioner is that he demanded a sum of 25,000/- as illegal gratification from S.Balashanmugam, who claimed to be the correspondent of the M/s.Kamakshi Shanmugam Matriculation Higher Secondary School, Cuddalore for expediting the release of RTE funds. The petitioner would contend that the said allegation is false and motivated and was made only on account of enmity between the said Balashanmugam and his mother, who is the founder of the said School, and his sister. The said Balashanmugam wanted to mutate the school records in his name and acknowledge him



as the correspondent of the School. The petitioner was not in the position to acknowledge him as the correspondent and merely insisted that he obtain a No Objection Certificate from his mother or obtain appropriate orders from the competent Court. This refusal led Balashanmugam to lodge the present complaint out of vengeance.

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. The learned counsel appearing for the respondents had produced G.O.(Ms.).No.34, Human Resources Management (N-2) Department, dated 17.06.2026, and submitted that the said Government Order prescribes the time limits for completion of regular vigilance cases, namely, trap and non-trap cases, by the Directorate of Vigilance and



Anti-Corruption and also for completion of the connected departmental proceedings.

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

6. In the case on hand, the petitioner has been placed under suspension by order dated 22.10.2024 and continues to remain under suspension for an indefinite period. It is seen that a charge sheet has been filed against the petitioner on 24.03.2025 in Crime No.13 of 2024 and the case has been taken on file as S.T.C.No.119 of 2025, which is pending before the Principal District and Sessions Court, Cuddalore. G.O. (Ms.) No.34, Human Resources Management (N-2) Department, dated 17.06.2026, has been issued prescribing time limits for completion of investigation by the Directorate of Vigilance and Anti-Corruption and for completion of the connected departmental proceedings, so as to avoid unnecessary delay and prolonged suspension of Government servants. The said Government Order also requires the competent authority to review the suspension of Government servants from time to



time. In the present case, there is nothing on record to show that the petitioner's suspension has been reviewed in accordance with the said Government Order.

7. The Hon'ble Supreme Court, in *Ajay Kumar Choudhary v. Union of India*, reported in (2015) 7 SCC 291, has held that an employee should not be kept under suspension for an indefinite period.

8. 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.

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

10. Accordingly, this Writ Petition is partly allowed. The impugned order of suspension is set aside. The respondents are directed to post the



petitioner in a non-sensitive post. However, the respondents are at liberty proceed with the disciplinary proceedings and the criminal case in accordance with law, keeping in view the timelines prescribed in G.O. (Ms.)No.34, Human Resources Management (N-2) Department, dated 17.06.2026. No costs. Consequently, connected miscellaneous petition is closed.

08-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SRN

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4. The District Educational officer(Private
School), Cuddalore
Cuddalore District -607 001

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P.T.ASHA J.

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