



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

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

WP No. 26800 of 2026

AND

WMP NOS. 29329 and 29331 OF 2026

M.Thambidurai
Village Administrative officer
(Under suspension)
Plot No.104, V.O.C.Nagar,
Railway Station Backside
Hosur Taluk
Krishnagiri District -635 109

..Petitioner(s)

Vs

1. The District collector
Krishnagiri District
Krishnagiri
2. The Sub collector
Hosur
Krishnagiri District

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records relating to the proceedings of the 2nd respondent in Roc.No.5559/2024/A1 dated 27.11.2024 quash the impugned suspension order and consequently direct the respondents to reinstate the petitioner in service as



Village Administrative Officer, Ballapalli village, Denkanikottai Taluk, Krishnagiri District with all attendant and monetary benefits within such time as may be fixed by this court.

For Petitioner(s): Mr. C.Palanisamy

For Respondent(s): Mr.K.Sathish

Government Advocate

Order

The writ petition has been filed to issue a writ of certiorarified mandamus to call for the records relating to the proceedings of the 2nd respondent in Roc.No.5559/2024/A1 dated 27.11.2024 and quash the same and consequently direct the respondents to reinstate the petitioner into service as Village Administrative Officer, Ballapalli village, Denkanikottai Taluk, Krishnagiri District along with all attendant and monetary benefits within the time frame as may be fixed by this court.

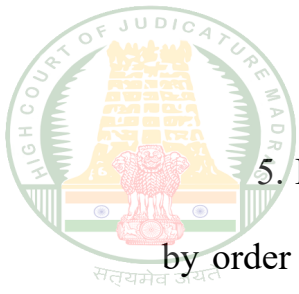
2. The petitioner would submit that while serving as the Village Administrative Officer, one C. Murugesh lodged a complaint against him alleging that he demanded illegal gratification for issuance of legal heirship



certificate. Based on the said complaint, the Vigilance and Anti Corruption Department Krishnagiri allegedly organized a trap on 21.11.2024. Subsequently the petitioner was arrested on 26.11.2024 and was suspended by an impugned order ROC.No.5559/2024/A1 dated 27.11.2024. The petitioner would submit that the criminal case is based only on the false allegations made by the complainant which are yet to be proved in the trial court. The petitioner would further submit the investigation has already been completed and a final report has also been filed before the before the Principal District Court Krishnagiri in Spl C.C.No.2 of 2026.

3. The Petitioner would submit that he has been placed 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.

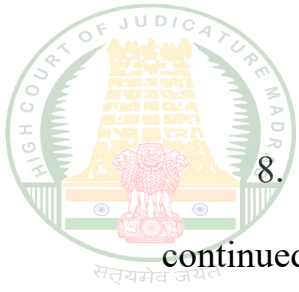
4. Heard the learned counsel on either and perused the records.



5. In the case on hand, the petitioner has been placed under suspension by order dated 26.11.2024 and continues to remain under suspension for an indefinite period. Admittedly, a final report has been filed before the Principal District Court Krishnagiri in Spl C.C.No.2 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.

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9. Accordingly, this writ petition is partly allowed. The impugned order is quashed and the petitioner shall be posted in some non-sensitive post. Consequently, connected miscellaneous petitions are closed. No costs.

13-07-2026

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

SRN

To

1. The District collector
Krishnagiri District
Krishnagiri
2. The Sub collector
Hosur
Krishnagiri District



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WP No. 26800 of 2



P.T.ASHA J.

SRN

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