



WEB COPY

WP No. 31388 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-08-2026

CORAM

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

WP No. 31388 of 2026

Zakir Hussain
S/o Jainul Samsudeen
No.246/A Dr.Ambedkar Nagar
West T.V. Nagar, Thirumangalam
Chennai - 600 040.

..Petitioner

Vs

1. The District Collector
First Floor, Collectorate,
Tiruvallur 602 001.
2. The Sub Collector
Taluk Office Road
Ponneri
Chennai - 601 204.
3. The Revenue Divisional Officer
Near Railway Station, Ponneri Road,
Taluk Office Road, Ponneri,
Chennai - 601 204.

..Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 18.06.2026 in the light of G.O.Ms.No.81 Human Resources Management Department, dated 04.08.2022 and consequently revoke the petitioner's suspension and reinstate the petitioner in service with an appropriate posting, preferably in a non-sensitive/non - financial post within a time frame to be fixed by this Court.



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For Petitioner:

Mr.J.S.Arunkumar

For Respondents:

Mr.V.Sivalingam

Government Advocate for R1 to R3

ORDER

The writ petition has been filed seeking the following relief :

" To direct the respondents to consider the petitioner's representation dated 18.06.2026 in the light of G.O.Ms.No.81 Human Resources Management Department, dated 04.08.2022 and consequently revoke the petitioner's suspension and reinstate the petitioner in service with an appropriate posting, preferably in a non-sensitive/non - financial post within a time frame to be fixed by this Court."

2. The petitioner, a Village Administrative Officer, was suspended from service on 26.05.2023, following the registration of Crime No.06/AC/2023/TVR dated 25.05.2023 by the Vigilance and Anti Corruption Department, on the allegation that he had received an illegal gratification of Rs.5,000/- for issuing a death certificate. After completing the investigation, a final report was filed. The case is now pending for trial before the Principal District and Sessions Court (Special Court for Prevention of Corruption Act Cases) Tiruvallur. The petitioner would contend that even after a lapse of more than two years, he was made to remain under suspension for several years without any meaningful or periodic review. He would also submit that



no departmental disciplinary proceedings have been initiated by the respondents till date. Therefore, the prolonged suspension is arbitrary, punitive in nature and contrary to the settled principles as contemplated in G.O.Ms.No.81, Human Resources Management Department, dated 04.08.2022. The petitioner would submit that he has submitted a representation to the respondents on 18.06.2026, to revoke his suspension and to reinstate him in service, preferably in a non-sensitive / non-financial post. His representation was not considered to date. Hence, the petitioner is before this Court seeking a mandamus.

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

4. The Government, taking note of the judgment of the Hon-ble Supreme Court in the case of **(2015) 7 SCC 291 [Ajay Kumar Choudhary /vs/ Union of India and another]**, had passed G.O.Ms.81 Human Resources Management(N) Department dated 04.08.2022 giving timelines for conducting the investigation/charge/enquiry, etc.

5. Applying the directives of the Government Order in G.O.Ms.81 Human Resources Management(N) Department dated 04.08.2022, a mandamus is issued to the respondents to consider the representation of the



petitioner and pass orders within a period of four weeks from the date of receipt of a copy of this order. No costs.

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6. With the above directions, the writ petition is disposed of. No costs.

07-08-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DS



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