

W.P.(MD)No.20522 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.07.2026**

CORAM

THE HONOURABLE **MR.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.(MD)No.20522 of 2026

N.Lakshmanan

... Petitioner

vs.

The Superintending Engineer,
O/o.the Superintending Engineer,
TANGEDCO/TNEB,
Theni Electricity Distribution Circle,
Theni District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, to issue a direction directing the Respondent to revoke the Suspension order memo in Ku.A.No. 008932/MePo/Theni/Ni.A/NiPi1/U.3/Ko.Marai/2025-1 dated 24.11.2025 passed by the respondent and reinstate the petitioner in any non-sensitive post for the Junior Engineer Grade -I in light of the guidelines issued under chapter-II Section 2(3) of Tamil Nadu Electricity Board employees Discipline and Appeal Regulations and based on the G.O.Ms.No.81 (Human Resources Development) dated 04.08.2022 within the time stipulated by this Court.

For Petitioner : Ms.P.R.Priya Dharshini

For Respondent : Mr.B.Ramanathan
Standing Counsel



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ORDER

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Heard Ms.P.R.Priya Dharshini, learned Counsel for the Petitioner and Mr.B.Ramanathan, learned Standing Counsel for the Respondent.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, directing the Respondent to revoke the Suspension order memo in Ku.A.No.008932/MePo/Theni/Ni.A/NiPi1/U. 3/Ko.Marai/2025-1 dated 24.11.2025 passed by the respondent and reinstate the petitioner in any non-sensitive post for the Junior Engineer Grade -I in light of the guidelines issued under chapter-II Section 2(3) of Tamil Nadu Electricity Board employees Discipline and Appeal Regulations and based on the G.O.Ms.No.81 (Human Resources Development) dated 04.08.2022.

3. The learned counsel for the petitioner contended that the petitioner was placed under suspension as early as on 24.11.2025. In terms of the Tamil Nadu Electricity Board Employees Discipline and Appeal Regulations, more specifically Regulation 2(3), there is an obligation on the respondent Board to review the suspension periodically. Despite this mandatory provision contained in the aforementioned regulations, the respondent Board has not taken any steps so far.



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4. On the other hand, the learned Standing Counsel submits that this is a case involving Vigilance and Anti-Corruption and therefore, it is obligatory for the respondent Board to refer the matter to the Director of Vigilance and Anti Corruption before reviewing the suspension and deciding on the reinstatement of the petitioner. He further submits that in case the Director of Vigilance and Anticorruption has no objection for reinstating the petitioner, the Board is ready to reinstate the petitioner into service.

5. This Court has carefully considered the submissions of both sides and perused the entire material on record.

6. Sub-regulation (3) of regulation 2 of the Board Regulations reads as follows:-

“3.All cases of suspension beyond the period of four months should be reviewed periodically either by the C.E, or Chairman or by the S.E, as case may be. In cases where, the suspension is not justified for valid reasons, the appropriate authority can revoke the suspension. In cases involving corruption, if the matter has been referred to Director of Vigilance and Anti Corruption, the suspension may be revoked after consulting the Director of Vigilance and Anti Corruption not only as a measure to avoid hardship to the Board employee concerned, but also to reduce additional



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expenditure to Board. The competent authorities should make a review of all such cases and examine whether the suspension could not be revoked pending the disciplinary proceedings, in the light of the criteria laid down in the matter of suspension.”

7. From the perusal of the above, it is evident that there is an obligation on the respondent Board to review the suspension periodically. While the officials of the respondent Board are required to review the suspension, in this case, it has admittedly not been done.

8. Further, the learned counsel for the petitioner placed reliance on the decision of the Hon'ble Supreme Court of India in **Civil Appeal No.10856 of 2016, dated 23.01.2025, [Bhupinder Singh V. Unitech Ltd., & others,]**. The relevant paragraph is extracted hereunder:-

“12. There can hardly be any dispute that on expiry of six months period of suspension, ordinarily a Government official would become entitled to subsistence allowance at the rate of 75% of the pay, save and except when such subsistence allowance has to be denied for some valid reasons. We, thus, proceed on a premise that most of the suspended officers/officials are not receiving 75% pay without having to perform any work. Additionally, considering



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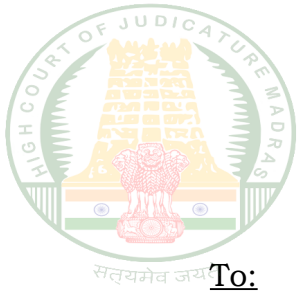
charge sheets have been issued very recently in October, 2024, we can safely infer that the conclusion of the departmental proceedings will take some reasonable time. Similarly, the criminal proceedings pending against the suspended officials, are also not likely to reach to a logical conclusion within a short time.”

9. In the light of the above and taking into consideration the submissions made by Mr.B.Ramanathan, learned Standing Counsel, the writ petition is disposed of with a direction to the first respondent to review suspension order dated 24.11.2025, placing the petitioner under suspension, in accordance with sub-regulation (3) of Regulation 2, and to pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of six weeks from date of receipt of a copy of this order.

10. Accordingly, the Writ Petition is **disposed of**. There shall be no order as to costs.

20.07.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
Nsr



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MUMMINENI SUDHEER KUMAR, J.

Nsr

Order made in
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