



WEB COPY

W.A.No.1012 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **G. ARUL MURUGAN**

W.A.No. 1012 of 2025
and CMP No.8265 of 2025

S.Albert
S/o.Samuel Sathyanathan,
Deputy Superintendent of Police,
(Under Suspension),
Residence at No.19, Periyannan Nagar,
Edayarpalayam, Coimbatore 641 075.

...Appellant

Vs.

- 1.The Additional Chief Secretary to Government
Home (Police.2) Department
Fort St. George,
Chennai - 600 009.
- 2.The Principal Secretary to Government
Home (Police.2) Department
Fort St. George,
Chennai - 600 009.
- 3.The Director General of Police
Head of Police Force,
Mylapore,
Chennai - 600 004.



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4.The Superintendent of Police
District Police Office
Tiruchirappalli District.

...Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order passed in WP No.7524 of 2025 dated 05.03.2025.

For Appellant : Mr.N.Naganathan

For Respondents : Mr.P.Ananda Kumar,
Government Advocate

J U D G M E N T

*(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)*

Challenge in the writ petition was to the order of suspension pending enquiry.

2. The petitioner who was a Deputy Superintendent of Police was caught red handed demanding and accepting illegal gratification of Rs.1,00,000/-. He was arrested on 15.09.2023 and remanded to judicial custody, as a result of which, he was placed under suspension and the suspension was confirmed by the Superintendent of Police. The representation of the petitioner seeking revocation of suspension was also



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rejected by the Department on 14.10.2024. Suspension is the discretion of the employer. Of course under the relevant Government Orders, the employer is bound to review the suspension if the employer had reviewed the suspension and extended it, this Court cannot substitute its discretion for the discretion of the employer.

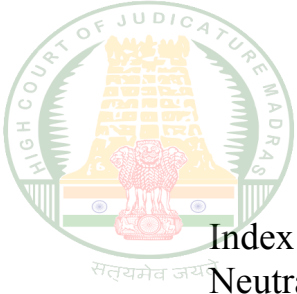
3. The Writ Court has rightly held that it is unbecoming for a Police Officer to demand and accept bribe and in the interest of proper administration and to felicitate an unbiased investigation, the employer has deemed that suspension is necessary.

4. Hence we do not think we should interfere with the order of the Writ Court, the Writ Appeal fails and it is accordingly dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) (G. ARUL MURUGAN, J.)
07.04.2025

jv

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Index : Yes/No

Neutral Citation : Yes/No

Speaking order/Non Speaking order

To

1.The Additional Chief Secretary to Government
Home (Police.2) Department
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Chennai - 600 009.

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R.SUBRAMANIAN, J.
and
G. ARUL MURUGAN, J.

jv

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