



W.P.No.13301 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2025

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THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.13301 of 2025

D.Prasanna

... Petitioner

Vs.

The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram – 608 002.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to revoke the order of suspension dated 04.03.2015 based on the representations dated 20.07.2016 and 22.03.2025, pursuant to the direction issued by the Government of Tamil Nadu, G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022.

For Petitioner

: Mr.S.Kingston Jerold

For Respondent

: Mr.Sithirai Anandhan,
Standing Counsel



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ORDER

The instant writ petition has been filed with a prayer for issuing a Mandamus to direct the respondent to revoke the order of suspension dated 04.03.2015 based on the representations dated 20.07.2016 and 22.03.2025, pursuant to the direction issued by the Government of Tamil Nadu, G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022.

2. The case of the petitioner is that he was appointed as an Office Assistant on 05.03.2007. The respondent, through order dated 04.03.2015, placed the petitioner under suspension in view of the petitioner was indulged in malpractice by inserting answer sheets of certain candidates, who had not written examination.

3. The learned Standing Counsel appearing for the respondent would submit that the suspension order cannot be challenged under Article 226 of the Constitution of India and the petitioner is provided with an appeal remedy under Regulation 24 of the Annamalai University Regulations on Disciplinary Procedures. Hence, he prayed to dismiss the instant Writ Petition.



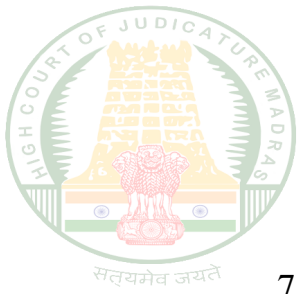
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4. I have given my anxious consideration to the submission on either sides.

5. While looking at the suspension order, it is almost decade old and continuing since 04.03.2015, and has been paid the subsistence allowance. It is well settled principles of law that whenever there is a prolonged suspension, there is duty cast upon the disciplinary authority to reconsider the same taking into consideration of the public money involved as they pay the subsistence allowance.

6. In the case on hand, from the submission of the learned Standing Court, this Court does not find any action on the part of the respondent in reviewing the continuance of the petitioner's suspension. From the submissions made by the learned counsel for the petitioner that he has made representations dated 20.07.2016 and 22.03.2025 and such representations are yet to be considered by the respondent.



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7. At this juncture, though the learned Standing Counsel would object the very filing of this Writ Petition, would fairly submit that the respondent would consider the said representations within a reasonable time.

8. In such view of the above submission, without going to the merits of this Writ Petition, this Court deems it appropriate to consider the petitioner's representations dated 20.07.2016 and 22.03.2025 and pass orders on its own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

9. With the above directions, this Writ Petition is disposed of. No costs.

23.06.2025

kv

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram – 608 002.



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C.KUMARAPPAN, J.

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