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W.P.No.15856 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2025

CORAM:

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.15856 of 2019

and

W.M.P.No.15673 of 2019

Dr.S.Mahalingam

... Petitioner

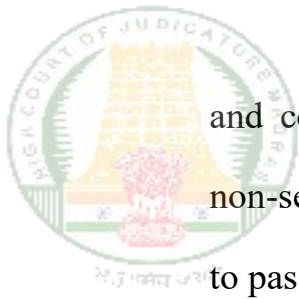
vs

1. The Director, Medical and
Rural Health Services,
Chennai – 600 006.

2. The Joint Director of
Health Services,
Thanjavur, Kumbakonam.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue Writ of Cetrriorarified Mandamus, to call for the records of the first respondent in relation to the impugned order in Ref. No.14804/SC11/10, dated 06.04.2010 and the consequential order in Ref. No.14804/SC1/1/2010 dated 30.03.2012, quash the same on the ground of prolonged suspension



and consequently direct the respondents to reinstate the petitioner in a non-sensitive post with all consequential monetary and service benefits and to pass orders.

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For Petitioner : Ms.Dakshayani Reddy
Senior Advocate for
Ms.Suneetha

For Respondents : Mr.E.Sundaram
Government Advocate

ORDER

Heard the learned Senior Counsel for the petitioner and the learned Government Advocate on behalf of the respondents and perused the records.

2. The present Writ Petition filed aggrieved by the impugned order in Ref. No.14804/SC11/10, dated 06.04.2010 passed by the first respondent and the consequential order in Ref. No.14804/SC1/1/2010 dated 30.03.2012.



3. The learned Senior Counsel appearing for the petitioner would submit that this Court by order dated 07.08.2019 had granted interim stay of the impugned order.

4. The learned Senior Counsel appearing for the petitioner would further submit that since, the respondents did not initiate any disciplinary action against the petitioner, except the criminal case registered under Prevention of Corruption Act, this Court may dispose of by granting liberty to the petitioner to contest the period of suspension subject to the result of criminal case initiated against him.

5. The learned Government Advocate appearing on behalf of the respondents submitted that he has received instructions, whereby, it is stated that Directorate of Vigilance and Anti-Corruption did not recommend for initiating disciplinary action against the petitioner, since the criminal case is pending before the Competent Court of jurisdiction. The result in the aforesaid case would have bearing on the suspension period of the petitioner.

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6. In view of the aforesaid submissions and taking note of the fact that the Vigilance and Anti-corruption Board not having recommended for initiation of any disciplinary action against the petitioner and having only registered criminal case, this Court is of the view that the period of suspension of the petitioner would have to abide by the result of criminal case against him before the competent Court of Criminal Courts. Petitioner is granted liberty to seek for setting aside the period of suspension subject to the outcome of the criminal case.

Accordingly, this Writ Petition is closed. Consequently, connected Miscellaneous Petition is closed. No costs.

29.10.2025

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

dh

To

1. The Director, Medical and Rural Health Services,
Chennai – 600 006.

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2. The Joint Director of
Health Services,
Thanjavur, Kumbakonam.

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T. VINOD KUMAR, J.

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