



W.P.No.20239 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

W.P.No.20239 of 2025
and
W.M.P.Nos.22824 and 22825 of 2025

John Louis

... Petitioner

Vs.

1. The Chief Educational Officer,
Salem District, Salem.
2. The District Educational Officer (Middle School),
Salem Educational District,
Salem.
3. District Physical Educational Inspector,
Salem District, Salem.
4. The Correspondent,
St.Joseph Boy's Higher Secondary School,
Susaigiri, Yercaud,
Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to suspension order issued by the fourth respondent in Na.Ka.No.100/2025 dated 24.02.2025 and quash the same and consequently direct the respondents to reinstate in service.



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For Petitioner : Mrs.S.Mythreye Chandru,
Special Government Pleader
(for R1 to R3)
For Respondents : Mr.R.Nalliyappan (for R4)

ORDER

The instant writ petition has been filed challenging the order dated 24.02.2025 passed by the fourth respondent.

2. The learned counsel for the petitioner would submit that in pursuance of the suspension order, neither a charge memorandum was issued nor any enquiry was initiated against the petitioner. It is the further submission of the learned counsel for the petitioner that there is no nexus to the official function and the alleged false police complaint given against the petitioner. He would also invite the attention of this Court to the fact that the petitioner has also sent a representation dated 16.04.2025 for revocation of suspension and that such representation is still pending with the fourth respondent.

3. The learned counsel appearing for the fourth respondent would vehemently submit that only because of the judicial custody of the petitioner



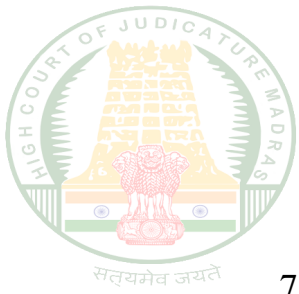
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for a period of 14 days and the conviction against the petitioner, he was suspended from service; hence, there are no grounds to interfere with the suspension order.

4. The learned Special Government Pleader appearing for the first to third respondents would submit that they being the approving authority, it is for the appointing authority to take a decision on the representation of the petitioner.

5. I have given my anxious consideration to the submissions made on either side.

6. It is a well-settled principle of law that whenever any suspension order is issued, either its continuance or revocation has only to be considered by the disciplinary authority. The Writ Court may intervene only when the suspension was issued by an incompetent authority and the suspension was issued without any basis. In the case in hand, apparently, while issuing the suspension order, there is a ground for suspension, as the petitioner was in judicial custody for a period of 14 days.



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7. However, while looking at the facts of the suspension order, it is not related to the official function, on the other hand it is related to private affairs. At this juncture, it is appropriate to refer the factum of giving representation dated 16.04.2025 to the fourth respondent for revocation of the suspension.

8. In such view of the matter, without going to the merits of this Writ Petition, this Court deems it appropriate to direct the fourth respondent to consider the petitioner's representation dated 16.04.2025, 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. Consequently, the connected Miscellaneous Petitions are closed. No costs.

20.06.2025

kv

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

1. The Chief Educational Officer,



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Salem District,
Salem.

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Salem.
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C.KUMARAPPAN, J.

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