IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 11-08-2025
CORAM
THE HON'BLE MR JUSTICE R. SURESH KUMAR
AND
THE HON'BLE MR.JUSTICE P. DHANABAL
W.A No. 2322 of 2025

A.Dharmalingam
S/O Late Appusamy, No 4/84, KK Nagar, Edangana
Salai Village And Post, Sankari Taluk Salem 637 502

..Appellant

Vs

1. The Principal Secretary To Government
   Commercial Taxes And Registration Department,
   Secretariat, Chennai 600 009
2. The Commissioner Of Commercial Taxes
   Office Of The Commercial Taxes, Chepauk,
   Chennai 600 005
3. The Joint Commissioner (administration)
   O/O The Commercial Taxes, Chepauk,
   Chennai 600 005
4. The Joint Commissioner (CT)
   O/O Joint Commissioner, Salme Division, Commercial
   Taxes Complex, Picharts Road, Hasthampatti, Salem
   636 007
5. The Deputy Commissioner (CT)
   O/O Deputy Commissioner Salem Ii, Commercial
   Taxes Complex, 4th Floor, Picharts Road,
   Hasthampatti, Salem 636 007
6. Mahendran (CT Omalur)
   Now Assistant Commissioner (CT) O/O Osur North
   II, Seetharam, Nagar, Bangalore Road, Near Old Bus
   Stand, Hosur 635 109.

7. V.Deepa
Deputy Commissioner (CT) Namakkal, Now Deuty Commissioner (Admin), Intergrated Commercial Tax Office Complex No 32, Elephant Gate Bridge, Waltax Road, Chennai 600 007

8. M.Ravi
Joint Commissioner (CT) Salem Division, Now Additional Commissioner (Legal) O/O Commissioner Of Commercial Taxes, Ezhilagam, Chepauk Chennai 600 005

..Respondents

Prayer : Writ Appeal under Clause 15 of the Letters Patent to set aside the impugned Order dated 27.06.2025 made in WP.No. 23169 of 2025.

For Appellant :	Mr.S.Saravanan
For Respondents :	Mr.P.Anandakumar Government Advocate - for RR 1 to 5

JUDGMENT

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This intra Court appeal has been directed against the order passed by the Writ Court dated 27.06.2025 made in W.P.No.23169 of 2025.

2. The present appellant was the writ petitioner, who was the employee of the respondent department. While he was in the fag end of his service, he claimed to have been suspended from service and subsequently that suspension has been revoked.

3. In this regard, it is the grievance of the appellant / writ petitioner that the respondents 7 and 8 are instrumental for placing him under suspension, that too, according to him, unlawfully. In this context, even though the suspension was revoked in the year 2018, he had given a complaint or representation to the respondent department to take action against the respondents 7 and 8 and in order to consider such representation or complaint, he sought for a writ of Mandamus and the writ petition has been filed.

4. Learned Writ Court, having considered the said writ petition, had dismissed the same by giving reasons in the order impugned, which speaks for itself, as against which this writ appeal has been filed. Arguments were advanced by Mr.S.Saravanan to state that by virtue of the suspension, which according to the writ petitioner is unlawful and suffered a lot. If this kind of unlawful suspension, by exercising the power of the authorities concerned against the staff or officials of the department concerned is made, then there would be no end for this misusing of powers and certainly action has to be taken against respondents 7 and 8.

5. We have heard the learned counsel for the appellant and the learned Government Advocate for the respondents and have gone through the order impugned.

6. We are not impressed with the submissions made by the learned counsel for the appellant for the simple reason that, if at all the appellant / writ petitioner has grievance against his suspension, which has subsequently been revoked, but he still feels aggrieved he can approach the appropriate forum, but cannot invoke the extraordinary jurisdiction under Article 226 of the Constitution of India to seek for a Mandamus to take action against the respondents 7 and 8.

7. Only based on this aspect, the learned single Judge has dismissed the writ petition through the impugned order, with which we are in complete agreement and do not want to interfere with the same. Resultantly, the writ appeal fails and it is liable to be dismissed. Accordingly, it is dismissed. No costs.

(R.S.K.,J.) (P.D.B.,J.)
11-08-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST

To

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R.SURESH KUMAR, J.
AND
P.DHANABAL, J.

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