



WEB COPY

W.P.No.31011 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.31011 of 2025

M.Arumugam

... Petitioner

Vs.

1.The Deputy Registrar (Housing)
Chengalpattu Region
Chengalpattu 603 001

2.The Administrator
Ambattur Venkatapuram Cooperative Building Society Ltd
J.J. 9769 Lakshmi Apartment
Old Bank Of Barod Street
Ambattur, Chennai 600 053.

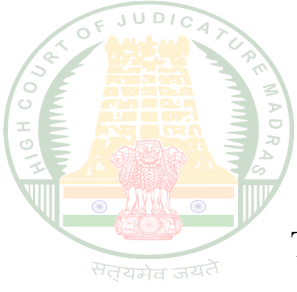
...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents to review the suspension dated 15.07.2024 in the light of observations of the Honble Apex court judgement made in the case of Bhupinder singh Vs Unitech Ltd and other in paragraph 14 and pass appropriate orders for considering the petitioner representations dated 05.05.2025.

For Petitioner : M/s.I.P.Shanmugasundaram

For Respondents : Dr.S.Surya, AGP
for R.1 & R.2.

ORDER



The Writ Petition is filed for the following reliefs:-

WEB COPY *“To issue directions to the Respondent herein to consider the Petitioner’s representation dated 14.05.2025 and to revoke the Petitioner’s suspension order issued by the Respondent herein in Memo No.003346/185/Adm./A3/2025 dated 05.04.2025 within a limited time frame as deemed fit by this Hon'ble Court.”*

2. It is the case of the petitioner that he was initially appointed as an Office Assistant on 21.11.1993. He was subsequently promoted to the post of Clerk, followed by a promotion to Secretary in Ambattur Venkatapuram Cooperative Building Society Ltd.

3. The petitioner would submit that while he was discharging his duty as an additional charge in Poonamallee Taluk Cooperative Society for a temporary period, he was falsely implicated and subsequently arrested and thereafter released on bail in a criminal case alleging that he had demanded a bribe of Rs.45,000/- from one Mr.G.Krishnamoorthy for cancellation of pledged documents.



W.P.No.31011 of 2025

WEB COPY

4. Since the petitioner was falsely implicated and arrested in a criminal case, the respondent by proceedings dated 15.07.2024 had suspended the petitioner with effect from 12.07.2024. The petitioner would submit that currently he is not receiving any subsistence allowance.

5. The petitioner would submit that, as he has not been receiving any subsistence allowance for over a year and has no means to take care of his sons, one of whom has a disability, he had made a representation dated 05.05.2025 to the respondents, seeking revocation of his prolonged suspension. However, the same has not been considered to date. Hence, this Writ Petition.

6. The learned counsel for the petitioner would rely upon the judgement passed by this Court in **WA.No.925 of 2025** dated 27.03.2025 wherein the learned Judges had passed the following orders:-

*"3. Mr.L.P.Shanmugasundaram, learned counsel for the appellant would draw our attention to the judgment of the Hon-ble Supreme Court in **Bhupinder Singh Vs. Unitech Ltd., & Others** wherein, the Supreme Court*



WEB COPY

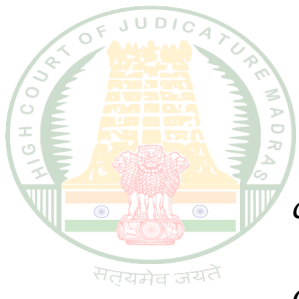
W.P.No.31011 of 2025



examined necessity for review of suspensions and observed as follows:-

13. That being so, it seems that the directions contained in paragraph 2 of the order dated 06.10.2021, if allowed to operate indefinitely, will be prejudicial to the State Exchequer and will hardly serve any purpose, until and unless the Competent Authority is of the considered opinion that the reinstatement of an official is likely to cause impediment in conducting a fair and impartial enquiry.

14. Consequently, we recall the directions contained in paragraph 2 of the order dated 06.10.2021 and leave it entirely to the discretion of the Competent Authority to examine all the cases of officers/officials, who are under suspension, pursuant to our above stated direction, and take an appropriate decision as to whether they should be reinstated or not. It goes without saying that if the Competent Authority finds that the reinstatement of any official will not be an impediment or obstruction in



WEB COPY

W.P.No.31011 of 2025



continuation of the Departmental proceedings, such an official can be reinstated without prejudice to the outcome of the Departmental action.?"

4. In view of the same, while setting aside the order of the learned single Judge, we direct the Authority to review the suspension in the light of the observations of the Supreme Court in Paragraph 14 extracted above and pass appropriate orders. If the Authority feels continuance of suspension is necessary, it can pass orders accordingly.

5. This Writ Appeal is disposed of with the above observations."

7. Heard the learned counsel on either side.

8. Considering the facts and circumstances of the case and also considering the judgement passed by this Court in **WA.No.925 of 2025** dated 27.03.2025, the Writ Petition is disposed of with a direction to the respondents to dispose of the petitioner's representation dated 05.05.2025 in the light of the above extracted paragraphs of the judgement passed in **WA.No.925 of 2025** dated 27.03.2025. The petitioner shall provide the



W.P.No.31011 of 2025

latest disability certificate of his son to the respondents within a period of 2 weeks from the date of receipt of a copy of this order and within a period of 2 months therefrom the representation shall be disposed of by the respondents. No costs.

19.08.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Deputy Registrar (Housing)
Chengalpattu Region
Chenglapattu 603 001

2.The Administrator
Ambattur Venkatapuram Cooperative Building Society Ltd
J.J. 9769 Lakshmi Apartment
Old Bank Of Barod Street
Ambattur, Chennai 600 053.

P.T. ASHA. J.,



WEB COPY



W.P.No.31011 of 2025

(shr)

W.P.No.31011 of 2025

19.08.2025