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W.P.No.31640 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.31640 of 2025

V.Sampath

... Petitioner

Vs.

The Revenue Divisional Officer
Office Of The Revenue Divisional Officer,
Kallkurichi District.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, Directing the respondent to consider the representation dated 30/07/2025 and review the order of suspension passed in Roc.No.A1 / 2360 /2024 dated 04/07/2024 to reinstate the petitioner into service as Village Administrative officer with all service and monetary benefits in the light of the decision of the Honourable Supreme Court in Ajay Kumar Choudhary Vs. Union of India 2015 (7) SCC 291 within a time limit that may be specified by this Honourable Court and also based on the G.O.Ms.No.81, Human Resources Management (N) Department dated 04/08/2022.



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For Petitioner : M/s.M.Elumalai

For Respondents : M/s.V.Jeeva Giridharan, AGP
for the sole respondent

ORDER

The Writ Petition is filed for the following reliefs:-

“Directing the respondent to consider the representation dated 30/07/2025 and review the order of suspension passed in Roc.No.A1 / 2360 /2024 dated 04/07/2024 to reinstate the petitioner into service as Village Administrative officer with all service and monetary benefits in the light of the decision of the Honourable Supreme Court in Ajay Kumar Choudhary Vs. Union of India 2015 (7) SCC 291 within a time limit that may be specified by this Honourable Court and also based on the G.O.Ms.No.81, Human Resources Management (N) Department dated 04/08/2022..”

2. It is the case of the petitioner that he was appointed as a Village Administrative Officer on compassionate grounds on 04.08.2017. The petitioner would submit that while he was working in Siruvangur Viillage, he was falsely implicated and subsequently arrested and thereafter released on bail in a criminal case alleging that he had demanded a bribe of



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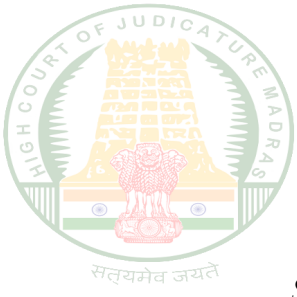
Rs.10,000/- from one one R.Sakthivel for patta transfer.

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4. Since the petitioner was falsely implicated and arrested in a criminal case, the respondent by proceedings dated 04.07.2024 had suspended the petitioner. The petitioner would submit that currently he is receiving 75% of his wage as a Subsistence Allowance.

5. The petitioner would submit that, as the criminal investigation is pending without filing a charge sheet for more than a year, he had made a representation dated 30.07.2025 to the respondent, 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 order passed by this Court in **WP.No.35410 of 2023** dated 22.12.2023, wherein the learned Judge had discussed the similar issue and after relying upon the judgement of the Hon'ble Supreme Court reported in **2015 7 SCC 291 - Ajay Kumar Choudhary V. Union of India** and considering the instructions given in G.O.(Ms).No.81 dated 04.08.2022 had passed the following orders:-



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"4. In line with the orders passed by the Hon'ble Supreme Court, as well as the Hon'ble Full Bench of this Court, the Government, in G.O.(Ms) No.81, Human Resources Management (N) Department, dated 04.08.2022, had stipulated a compendium of instructions for review of suspension orders in matter which are pending inquiry into grave charges.

5. On consideration of these instructions in G.O.(Ms) No.81, this Court is of the view that the respondents herein could be directed to review the order of suspension, in accordance with the guidelines issued thereunder.

6. In the light of the above findings, there shall be a direction to the second and third respondents herein to consider the petitioner-s representation dated 27.10.2023, seeking for reinstatement by revoking the suspension order, in accordance with the instructions issued by the Government in G.O.(Ms).No.81, dated 04.08.2022, and



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*pass appropriate orders, within a period of two (2) weeks
from the date of receipt of a copy this order.*

7. Heard the learned counsel on either side.

8. Considering the facts and circumstances of the case and also considering the order passed by this Court in **WP.No.35410 of 2023** dated 22.12.2023, the Writ Petition is allowed. The respondent is directed to consider the representation of the petitioner dated 30.07.2025 and pass orders in accordance with law within a period of 3 months from the date of receipt of a copy of this order. No costs.

25.08.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

The Revenue Divisional Officer
Office Of The Revenue Divisional Officer,
Kallkurichi District.



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P.T. ASHA. J.,

(shr)

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