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W.P. No.31054 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2025

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. No.31054 of 2024

and

WMP.Nos. 33674,33675 and 33676 of 2024

G.K.Balasubramaniam
Formerly Town Planning Inspector,
S/o.P.Kathaperumal,
C2 Block, 307, 3rd Floor,
Akshaya Republic,
Kundrathur Main Road,
Kovur, Chennai-600 128.

...

Petitioner

1. The Director Of Municipal
Administration,
No.75, Urban Administrative Building,
Santhome High Road, MRC Nagar,
R.A.Puram, Chennai-600 028.

2.The Principal Secretary,
Municipal Administrative And Water Supply Department,
Fort St. George,
Chennai-600 009.

...

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus to call for the records culminating in suspension order passed by 1st Respondent bearing proceedings No.Roc No.396/2024/VI-2 dated 12.01.2024 and consequent letter dated



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21.08.2024 bearing the same reference numbered quash the same and consequentially direct the Respondents to reinstate the Petitioner as Town Planning Inspector, together with all consequential service and monetary benefits.

For Petitioner: Mr.M.V.Arvind Subramaniam
for Mr.Kannammai ME

For Respondents: Mr.C.Selvaraj
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the suspension order passed by the 1st Respondent bearing proceedings No.Roc No.396/2024/VI-2 dated 12.01.2024 and consequent letter dated 21.08.2024 bearing the same reference number quash the same and consequently direct the Respondents to reinstate the Petitioner as Town Planning Inspector, together with all consequential service and monetary benefits.

2. The case of the petitioner is that while he was working as a Town Planning Inspector, Kundrathur Municipality, a criminal case was registered against him on 12.01.2024 in V&ACCr.No.01/AC/2024/KPM under Section 7 of Prevention of Corruption (Amendment) Act, 2018, on the ground that he demanded illegal gratification of Rs.24,000/- for one S.Muthuswamy.



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Subsequently, he was arrested and remanded to judicial custody. Thereafter, the petitioner was placed under suspension vide order dated 12.01.2024. It is further stated that the petitioner made a representation to the respondents for revocation of suspension and reinstatement of service on 16.05.2024 and the respondents vide reply dated 21.08.2024 rejected the request of the petitioner. Challenging the suspension order dated 12.01.2024 as well as the rejection of representation of the petitioner dated 21.08.2024, the present writ petition has been filed.

3. Mr.MV.Aravind Subramaniam, learned Senior Counsel appearing for the petitioner would submit that the petitioner was placed under prolonged suspension for morethan 8 months. Further, he would submit that *The Hon'ble Supreme Court of India in the case of **Ajay Kumar Choudhary Vs. Union of India**, reported in **2015 (2) SCALE 432 (SC)** has held that the currency of suspension order should not exceed 3 months if within this period, the charge memo is not served on the employee and if it is served, a reasoned order should be passed for the extension of suspension. He therefore prays that the petitioner may be permitted to give another representation to the respondents seeking revocation of suspension and the respondents may be directed to consider the same and further a direction may be issued to the respondents to pay balance subsistence allowance payable to the petitioner*



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4.The learned Additional Government Pleader appearing for the respondents had submitted that the liberty may be given to the petitioner to submit another representation as prayed for by the petitioner and the respondents may be directed to pass orders of the same. Further, he would submit that balance subsistence allowance will be paid by the respondents, if the petitioner is entitled for the same.

5. Heard both sides. Perused the records.

6.Considering the facts and circumstances of the case and upon considering the submissions made, the petitioner is permitted to make another representation to the respondents seeking revocation of suspension as per *Ajay Kumar Choudhary Vs. Union of India, reported in 2015 (2) SCALE 432 (SC)* within a period of *four weeks* from the date of receipt of a copy of this order and on such representation being made, the respondent concerned is directed to consider and pass orders on the same, as expeditiously as possible. The respondent concerned is directed to pay balance subsistence allowance to the



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petitioner, if he is entitled for the same, within a period of *four weeks* from the date of receipt of a copy of this order.

With the above directions, this Writ Petition is disposed of. No costs.

Consequently, connected Miscellaneous Petitions are closed.

18-12-2025

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

To

1. The Director Of Municipal
Administration,
No.75, Urban Administrative Building,
Santhome High Road, MRC Nagar,
R.A.Puram, Chennai-600 028.

2.The Principal Secretary,
Municipal Administrative And Water
Supply Department,
Fort St. George,
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M. DHANDAPANI, J.

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