



WEB COPY



W.P. No.35817 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.09.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. No.35817 of 2025

and

W.M.P. Nos.40075 and 40076 of 2025

M. Sundaresan

.... Petitioner

VS.

1. The Additional Chief Secretary,
Home, Prohibition and Excise Department,
Secretariat,
Chennai – 600 009.

2. The Director General of Police (DGP)
Office of the Director General of Police,
Dr. Radha Krishnan Salai,
Mylapore,
Chennai – 600 004.

3. The Deputy Inspector General of Police
(Law & Order),
Thanjavur Range,
Thanjavur Head Office – 613 001.

4. The Additional Director General of Police,
Prohibition of Enforcement Wing,
Office of Director of Police,
Dr. Radha Krishnan Salai,
Mylapore,
Chennai – 600 004.

5. Stalin



W.P. No.35817 of 2025

WEB

6. The Superintendent of Police,
Prohibition and Enforcement Wing,
Madurai Zone.

7. Balachandar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus to call for the records of the 1st respondent in G.O. (2D) No.219, dated 19.07.2025 on the file of the 1st respondent and quash the same as arbitrary, unjust, whimsical & untenable and consequently direct the 1st respondent to reinstate the petitioner into service with all the consequential service and monetary benefits.

For petitioner : Mr.V. Raghavachari
Senior Advocate
Assisted by
Ms.V. Srimathi

For respondents : Mr.V. Jeevagiridharan
Addl. Govt. Pleader for RR1 to 4 and 6
- - - - -

ORDER

Mr.V. Jeevagiridharan, learned Additional Government Pleader takes notice for the respondents 1 to 4 and 6. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself. Since no adverse orders are passed against the respondents 5 and 7 and considering



W.P. No.35817 of 2025

the gravity of the case, this writ petition is taken up for final disposal, without any notice to them.

2. This writ petition has been filed seeking quashment of G.O.(2D) No.219, passed by the 1st respondent on 19.07.2025 and consequently direct the 1st respondent to reinstate the petitioner into service with all consequential service and monetary benefits.

3. Facts in brief :

a) The petitioner was appointed as Sub Inspector of Police on 01.03.1996 and was subsequently promoted as Inspector of Police in the year 2005 and thereafter, as Deputy Superintendent of Police on 01.01.2018. He has rendered nearly three decades of service and received many awards. Unfortunately, he has now been given an order of suspension, which according to him is a frivolous and baseless one.

b) As a Deputy Superintendent of Police, his work is to conduct raids round the clock, without being provided any official vehicle. Subsequently, a vehicle bearing Registration No.TN 45 G 1738 was allotted to him for a specific work from 14.07.2025 to 16.07.2025. Upon completion of the said work, the vehicle was forfeited and hence, he had to perform his duty by walk



W.P. No.35817 of 2025

as before. On 17.07.2025, around 12.30 hours, while he was walking on the road, a media person came and spoke to him. Clippings of the said conversation were telecasted and that too came to his knowledge at 2.00 p.m., when he came to his house for having his lunch. On the other hand, the 5th respondent issued a press note at 3.15 p.m. on the very same day.

c) While this being so, on the same day i.e., 17.07.2025 at 5.30 p.m., several media personnel asked his comments about the press note released by the 5th respondent. Though he initially refused, eventually due to emotional pressure, which was not a planned one, he replied to them. Later that night, allegations were framed against him, wherein it was stated that he leaked secret information to the media, due to which his reputation got lowered.

d) It is the grievance of the petitioner that on 19.07.2025, while the petitioner was on casual leave due to medical emergency to his father, the impugned suspension order dated 19.07.2025 was served on him at his residence at late hours. Aggrieved by the said vindictive order, the petitioner has approached this Court seeking to quash the impugned suspension order dated 19.07.2025.

4. Mr.V. Raghavachari, learned Senior Counsel, assisted by Ms.V.Srimathi, learned counsel appearing for the petitioner, would submit that



while the petitioner was walking on the street, some media persons came and had a casual talk with the petitioner and later the same was telecasted in media.

He further submitted that the petitioner himself came to know about the said telecast only at the lunch time. He also submitted that before issuing the impugned order of suspension, the petitioner was neither called for any enquiry nor provided an opportunity of hearing. He was also immediately transferred which is non-est in law.

5. The learned Senior Counsel would vehemently argue that the petitioner never made any voluntary statement before the press regarding the bandobust duty and that the official vehicle allotted to him was abruptly taken away without assigning any reason. He also submitted that the charges framed do not even qualify the basic criteria to quantify an order of suspension and the same is causing mental harassment to the petitioner. In view of the above, the suspension order dated 19.07.2025 issued by the 1st respondent is illegal and the same is liable to be quashed. Accordingly, he prayed for the writ petition to be allowed and for issuance of consequential directions in the above regard.

6. Denying the contentions raised by the petitioner, Mr.V.Jeevagiridharan, learned Additional Government Pleader appearing for the respondents 1 to 4 and 6 would submit that apart from the main charge of



indisciplinary behaviour, there were several other allegations pending against the petitioner. Drawing the attention of this Court to the list of charges framed, the learned Additional Government Pleader submitted that the petitioner informed his own grievances before the media, which was telecasted, due to which, the officials concerned were subjected to several hardships.

7. He further submitted that the second charge levelled against the petitioner was with regard to taxing a woman police Inspector. Therefore, only on enquiry, the truth will come out. He further submitted that the suspension order was issued only recently i.e. on 19.07.2025 and the explanation submitted by the petitioner will be considered at the time of enquiry, which is to be conducted shortly. He further submitted that the order of suspension will be reviewed periodically in accordance with the procedure contemplated under G.O. Ms. No.81, Human Resources Management(N) Department, dated 04.08.2022. Accordingly, he submitted that interference by this Court with the suspension order dated 19.07.2025, at this stage is unwarranted and sought for suitable directions.

8. In view of the rival submissions, without going into the allegations and counter allegations, this Court is of the considered opinion that the impugned suspension order has been issued only recently and also recording the



W.P. No.35817 of 2025

submissions made by the learned Additional Government Pleader with regard to consideration of the petitioner's explanation at the time of enquiry, this Court is not inclined to interfere with the order of suspension. However, this Court is of the view that periodical review in the suspension order is necessary and therefore, the 2nd respondent is directed to adhere to the guidelines stipulated in the aforesaid Government Order, scrupulously.

9. With the above directions, this writ petition stands disposed of. No costs. Consequently connected miscellaneous petitions are closed.

23.09.2025

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

vsi2



WEB COPY



W.P. No.35817 of 2025

A.D. JAGADISH CHANDIRA, J.

vsi2

To

1. The Joint Director (Personnel),
Directorate of Government Examination,
DPI Campus,
College Road,
Nungambakkam,
Chennai – 600 006.

2. The District Education Officer,
Office of the District Education Officer,
Collectorate Campus,
Nagapattinam.

3. The District Elementary Education Officer,
Office of the District Elementary Education Officer,
Collectorate Campus,
Nagapattinam.

W.P. No.35817 of 2025

and

W.M.P. Nos.40075 and 40076 of 2025

23.09.2025