



W.P.No.43887 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.43887 of 2025

and

W.M.P.No.48996 of 2025

A.Elumalai

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue and Disaster Management Department,
Fort St. George, Chennai – 600 009.

2.The District Collector,
Office of the District Collector,
Villupuram – 605 602.

3.The Sub Collector,
Sub Collector office,
Thindivanam,
Villupuram – 604 302.

4.The District Revenue Officer,
Villupuram District – 605 602.

5.The Tahsildar,
Thasildar Office,
Thindivanam,
Villupuram District – 604 001.

... Respondents



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the proceedings of the 2nd respondent vide in Na.Ka.No.A5/1516/2024 dated on 06.08.2024 and quash the same as being arbitrary, illegal and consequently and direct the 4th respondent to consider the representation of the petitioner dated 17.06.2025 seeking for issuance of a permit the petitioner to rejoin his service.

For Petitioner : Mr.P.Dineshkumar

For Respondents : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

Challenging the order passed by the 2nd respondent dated 06.08.2024, whereby the petitioner was suspended from service and consequentially to direct the 4th respondent to consider the representation of the petitioner dated 17.06.2025 seeking permission to rejoin service.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was appointed as Village Assistant at Singanur Taluk Office, Thindivanam, Villupuram on 15.10.2010 and he is



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physically disabled at 55%. Whiles, he was arrested and remanded to judicial custody on 05.08.2024 for the offences punishable u/s 7-A of Prevention of Corruption Act, in Crime No.4 of 2024. Subsequently, the 2nd respondent suspended the petitioner from service by way of the impugned order, dated 06.08.2024, which is under challenge in this writ petition.

4. The learned counsel appearing for the petitioner has raised a ground that though an FIR was registered against the petitioner in the year 2024, however the investigation is still pending and till date, the petitioner is not served with any charge memo. In view of the same, the petitioner has submitted a representation dated 17.06.2025 before the respondents seeking revocation of suspension.

5. Admittedly, the petitioner was working as Village Assistant and thereby, he is not coming under the definition of Government Servant. Therefore, the representation submitted by the petitioner cannot be considered for revocation. Hence, there is no impediment for the 2nd respondent to proceed with the disciplinary enquiry against the petitioner



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simultaneously when the criminal case is pending against him. Therefore, the 2nd respondent is directed to proceed with the disciplinary proceedings against the petitioner and complete the same, within a period of six (6) weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
sp



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To
WEB COPY

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G.K.ILANTHIRAIYAN. J,

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