



WP(MD)No.3454 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.3454 of 2024
and
WMP(MD)No.3432 of 2024

S.K.Vijayanathan

...Petitioner

Vs

1.The Principal Secretary,
Department of Rural Development and Panchayat Raj,
Fort St.George,
Chennai – 600 009.

2.The Director,
Department of Rural Development and Panchayat Raj,
Panagal Building, Saidapettai,
Chennai – 600 015.

3.The District Collector,
Office of the District Collector,
Pudukottai District.622 001.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records of the proceedings in G.O.(2D) No.107, Rural Development and Panchayat Raj (E2) Department dated 31.10.2022 under Rule 17 (a) of the Tamil Nadu



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Civil Services (Discipline and Appeal) Rules, 1973 to quash /cancel the impugned order and allow the petitioner to retire (as already attained the superannuation on 31.10.2022) and also to release petitioner's retirement benefits without reference to the above prolonged pendency of the enquiry proceedings under Rule 17 (a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1973 is deliberately illegal and unconstitutional and it would put petitioner in irreparable loss and untold hardship for more than 6 ½ years.

For Petitioner : Mr.Ramesh Mahadev

For Respondent : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

ORDER

The petitioner was a Block Development Officer. Based on the criminal case registered as against him, he was placed under suspension. Later on vide the impugned order he was not allowed to retire from service.

2.The petitioner challenging the suspension order has earlier filed a writ petition before this court in WP(MD)No.19127 of 2021 and the same was dismissed by this court by order dated 04.04.2022 that the



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suspension order need not be revoked and it can be considered after the disposal of the criminal proceedings. The court has also clarified that it is for the authority to take a decision to review the order of suspension based on the merits of the case. This Court further directed the respondents to pay the subsistence allowance eligible to the petitioner. The petitioner has now challenged the order not allowing the petitioner to retire from service. The criminal proceedings is pending in SplCC.No.1 of 2022 before the Chief Judicial Magistrate Court, Pudukkottai. In view of the order passed by this court in WP(MD)No.19127 of 2021 dated 04.04.2022 this court is not inclined to grant any relief as prayed for.

3.Further considering that this court while dismissing above the writ petition has observed that the order of suspension can be revoked only after conclusion of the criminal proceedings pending against the petitioner and also in the interest of justice, this writ petition is disposed of with a direction to the learned Chief Judicial Magistrate, Pudukkottai to conclude the trial in SplCCNo.1 of 2022 as expeditiously as possible preferably within a period of six months from the date of receipt of a



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copy of this order. The petitioner can work out his remedy based on the outcome of the criminal proceedings. No costs. Consequently connected miscellaneous petition is closed.

12.12.2025

DSK

To

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Fort St.George,
Chennai – 600 009.
- 2.The Director,
Department of Rural Development and Panchayat Raj,
Panagal Building, Saidapettai,
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- 3.The District Collector,
Office of the District Collector,
Pudukottai District.622 001.
- 4.The Chief Judicial Magistrate,
Pudukkottai.



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B.PUGALENDHI.J.,

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