



W.P.(MD)No.4096 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :11.03.2025

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.4096 of 2025
and WMP(MD)Nos.2931 and 2934 of 2025

Ramya

... Petitioner

Vs.

The Revenue Divisional Officer,
Revenue Divisional Office,
Usilampatti,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the respondent in Na.Ka.No. 5565/2023/A1 dated 09.01.2025 and quash the same and consequently direct the respondent to reinstate the petitioner as VAO, Pothampatti, Usilampatti, Madurai District in the same station within the time frame stipulated by this Court.

For Petitioner : Mr.S.Srikanth
For Respondent : Mr.D.Sachi Kumar
Additional Government Pleader



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ORDER

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2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader and perused the records.

3.The case of the petitioner is that while he was working as the Village Administrative Officer in Pothampatti, Usilampatti Taluk, Madurai District, a case was registered against him by the Vigilance and Anti-corruption Department, Madurai District in Crime No. 12 of 2023. Pursuant to the registration of criminal case, the petitioner was placed under suspension by the respondent vide order dated 28.12.2023. On 09.06.2024, he submitted a representation to revoke his suspension order. Against the inaction of the respondents, the petitioner filed a writ petition in WP(MD)No.15931 of 2024 before this Court. This Court by order dated 16.07.2024 directed the respondent



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to pass final orders on the representation of the petitioner in accordance with

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law. In compliance of the same, the respondent issued impugned order dated 09.01.2025 rejecting the request of the petitioner stating that after completion of the investigation only, his request will be considered. Aggrieved by the said order, the petitioner filed the present writ petition.

4. The learned counsel for the petitioner submits that the reasons stated in the rejection order, which is impugned in this writ petition, is unsustainable in the light of the Government Order in G.O.(Ms.)No.81, Human Resources Management(N) Department, Dated 04.08.2022, wherein, certain instructions are issued to all the Government Officers to consider the request of the employees to revoke the suspension order.

5. On a perusal of the order impugned in this writ petition, it is clear that the respondent without following the instructions issued in G.O.(Ms.)No.81, dated 04.08.2022, rejected the request of the petitioner with regard to revocation of suspension order in a mechanical way stating that after completion of the investigation only they will consider the request of the petitioner for re-instatement. In the considered opinion of this Court, the reasons stated by the



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respondent in the impugned order to reject the request of the petitioner is unsustainable and it is contrary to the Government instructions issued in G.O.Ms.No.81 dated 04.08.2022. As such, it is liable to be set aside.

6. For the aforesaid reasons, this writ petition is allowed with the following directions:

i)The order impugned in this writ petition in Na.Ka.No. 5565/2023/A1 dated 09.01.2025 is hereby set aside.

ii) The respondent shall pass order afresh on the representation submitted by the petitioner on 09.06.2024 as per the instructions issued by the State Government in G.O.(Ms.)No.81, Human Resources Management (N) Department, dated 04.08.2022, within a period of two weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

Consequently, connected miscellaneous petitions are closed.

11.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
CM



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Revenue Divisional Office,
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BATTU DEVANAND, J.

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