



W.A.(MD)No.755 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.08.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.755 of 2020
and
C.M.P.(MD)No.4337 of 2020**

The Dean,
Thanjavur Medical College Hospital,
Thanjavur.

... Appellant

Vs.

Victor William

... Respondent

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.26443 of 2019 dated 28.01.2020 on the file of this Court.

For Appellant : Mr.N.Satheeshkumar,
Addl. Government Pleader

For Respondent : No appearance



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JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.This writ appeal has been filed against the order dated 28.01.2020 made in W.P.(MD)No.26443 of 2019. The writ petitioner was implicated in a criminal case and was placed under suspension on 23.12.2013. He sought reinstatement and revocation of the suspension order. His request was rejected by the appellant vide order dated 17.02.2014. Questioning the same, W.P.(MD)No.26443 of 2019 was filed. The learned Single Judge allowed the writ petition vide order dated 28.01.2020 in the following terms:-

“7.For all the reasons stated above, the impugned order dated 17.02.2014 in Ref.No.13075/E6/2013 passed by the respondent is set aside. Consequently, the respondent is directed to reinstate the petitioner immediately, in any case, within a period of one week from the date of receipt of a copy of this order. It is open to the respondent to transfer the petitioner to any other office, if the respondent may choose do so.”



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3. Though the learned Single Judge had erroneously invoked *Ajay Kumar Choudhary's* case, we are of the view that the relief granted to the writ petitioner can be sustained on a different ground altogether. When the suspension order was passed in the year 2013, it could not have been kept alive for seven long years. When suspension gets prolonged without any justifiable reason, it acquires a punitive character. This Court has consistently held that granting substance allowance to the extent of 75% without extracting any work is not in public interest.

4. In this view of the matter, the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (K.R.S. J.)
11.08.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

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Thanjavur Medical College Hospital,
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