



W.P(MD)No.12153 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.12153 of 2025

and

WMP (MD) Nos.8956 to 8958 & 13969 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 praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the respondent in Na.Ka.5565/2023/A1 dated 03.04.2025 and quash the same and consequently direct the respondent to reinstate the petitioner in service within the time frame stipulated by this Court.

For Petitioner : Mr. S.Srikanth

For Respondent : Mr.N.Satheesh Kumar
Addl. Government Pleader



W.P(MD)No.12153 of 2025

WEB COPY

ORDER

This writ petition has been filed challenging the rejection order dated 03.04.2025 refusing to reinstate the petitioner on the ground of pending investigation against the petitioner by the Vigilance and Anti-Corruption Department.

2.The case of the petitioner is that while he was serving as a Village Administrative Officer, Pothampatti, Usilampatti Taluk, Madurai District, a criminal case was registered as against her by the Department of Vigilance and Anti-Corruption, Madurai District, in Crime No.12 of 2023, based on the allegation that he demanded a bribe. The petitioner was arrested on 27.12.2023 and was subsequently placed under suspension on 28.12.2023. Challenging the said suspension order, the petitioner filed W.P.(MD) No.4096 of 2025 before this Court, which was disposed of by an order dated 11.03.2025, directing the respondent to consider the representation for reinstatement. However, the petitioner's representation was rejected vide the impugned order dated 03.04.2025. Challenging the same, the present writ petition has been filed.



W.P(MD)No.12153 of 2025

WEB COPY

3.Pursuant to an interim order passed by this Court, a vacate stay petition in W.M.P.(MD) No.13969 of 2025 has been filed by the respondent. With the consent of both the petitioner and the respondent, the main writ petition was taken up for final disposal.

4. The learned counsel for the petitioner submits that the petitioner was placed under suspension on 28.12.2023, following her arrest by the Department of Vigilance and Anti-Corruption, Madurai District, for the alleged demand of a bribe from the defacto complainant. This Court, by its order dated 11.03.2025, directed the respondent to consider the petitioner's representation for posting him in a non-sensitive post. However, the same was rejected by the respondent. Subsequently, the present writ petition was entertained and interim stay was granted on the ground that prolonged suspension is impermissible in terms of G.O.(Ms.) No.81, Human Resources Management (N) Department, dated 04.08.2022, which mandates that suspension ought to be periodically reviewed. However, in the present case, the respondent has not followed the Government Order by reviewing the suspension of the petitioner. Therefore, the learned



W.P(MD)No.12153 of 2025

WEB COPY counsel for the petitioner prays that the writ petition may be allowed.

5.Per contra, the learned Additional Government Pleader appearing for the respondent submits that the petitioner was involved in a trap case concerning the alleged demand of a bribe from the defacto complainant and was arrested on 27.12.2023. She was subsequently placed under suspension on 28.12.2023. Since the petitioner is involved in a corruption case, she cannot be reinstated even in a non-sensitive post. Furthermore, the petitioner being a Village Administrative Officer, there is no non-sensitive post available in her category. Accordingly, he prays for dismissal of the writ petition.

6. Heard the learned counsel for the petitioner as well as the learned Additional Government Pleader appearing on behalf of the respondent and perused the materials available on record.

7. A perusal of G.O.(Ms.) No.81, Human Resources Management (N) Department, dated 04.08.2022, reveals that if disciplinary proceedings are initiated and pending, it is necessary to review the suspension order within a fixed time limit and to conclude the disciplinary proceedings within a specific period.



W.P(MD)No.12153 of 2025

WEB COPY

However, the time limits specified in the said Government Order are not applicable to the petitioner, as a criminal case has been registered against her. Moreover, the disciplinary authority has no power to expedite the law-enforcing agency to file the charge sheet and conclude the criminal case. In the present case, the petitioner was placed under suspension solely on the basis of the criminal case registered against her by the Department of Vigilance and Anti-Corruption and not on the ground of initiation of departmental disciplinary proceedings. Hence, G.O.(Ms.) No.81, as referred to by the petitioner, is not applicable in this case. Therefore, this Court finds no infirmity in the impugned order passed by the respondent and it does not warrant interference by this Court.

8. For the foregoing reasons, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

21.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN



W.P(MD)No.12153 of 2025

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To

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W.P(MD)No.12153 of 2025

M.DHANDAPANI,J.

PKN

**ORDER MADE IN
W.P(MD)No.12153 of 2025**

DATED : 21.08.2025