



W.A(MD) No.1994 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 23.07.2025

CORAM

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

W.A(MD) No.1994 of 2025
and
C.M.P.(MD)No.11451 of 2025

- 1.The Commissioner,
Most Backward Classes and
Denotified Communities Welfare Department,
Chepauk, Chennai.
- 2.The Headmaster,
Government Kallar Higher Secondary School,
Vikramangalam,
Madurai. ... Appellants / Respondents 1 & 2

Vs.

- 1.Kanagarajkumar ... Respondent / Petitioner
- 2.The Superintendent of Police,
Madurai District,
Madurai. ... Respondent



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed by this Court in W.M.P.(MD)No. 2836 of 2025 in W.P.(MD)No.3912 of 2023 and allow the writ appeal as prayed for.

For Appellant : Mr.M.Ajmal Khan
Additional Government Pleader
assisted by Mr.N.Satheeshkumar

For Respondents : Mr.G.Prabhu Rajadurai
for R1
: Mr.T.Senthil Kumar
Additional Public Prosecutor
for R2

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The writ petitioner herein was placed under suspension by the disciplinary authority on 15.11.2024. The said order was stayed by the learned single Judge on 28.04.2025 in W.M.P.(MD)No.2836 of 2025 in W.P.(MD)No.3912 of 2025.

3. It is well settled that an order of suspension should not be stayed by way of an interim order during the pendency of the proceedings in the



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Court (*vide AIR 2003 SC 1115 (Public Services Tribunal Bar Association Vs. State of U.P)*)

4. In this view of the matter, the order of the learned single Judge is set aside. The writ appeal is allowed. The subsistence allowance payable to the writ petitioner as per the Fundamental Rules shall be paid promptly. If there are any arrears, it shall be settled immediately. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (K.R.S., J.)
23.07.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
rmi

To

The Superintendent of Police,
Madurai District,
Madurai.



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