



W.P.(MD)No.16730 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.16730 of 2025
and
W.M.P.(MD)No.12695 of 2025

M.Seenivasagam

... Petitioner

-VS-

1.The Chief Engineer,
Tamil Nadu Water Supply and Drainage Board,
Madurai.

2.The Administrative Engineer,
Tamil Nadu Water Supply and Drainage Board,
Scheme and Maintenance Division,
18C, Rayarthoppy, Courtalam, Tenkasi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in connection with the impugned order in Proc.No.17523/A6/VC/2023/CE(MDU) / dated 17.05.2023, passed by the first respondent and quash the same and direct the respondents to reinstate the petitioner in service as per service rules.

For Petitioner : Mr.S.Titus

For Respondents : Mr.B.Vijaykarthikeyan
Standing Counsel



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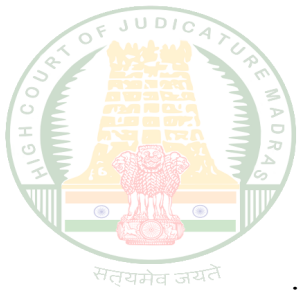
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ORDER

This Writ Petition has been filed seeking to quash the impugned order passed by the first respondent and consequently, to direct the respondents to reinstate the petitioner in service, in accordance with the applicable service rules.

2. The learned counsel for the petitioner submits that the petitioner was appointed on 01.03.1994 on compassionate grounds. A false complaint was made by a co-employee on 16.05.2022, which leads to registration of a case by the Vigilance and Anti-Corruption Police on 16.05.2023, without conducting any prior enquiry. The petitioner was arrested and is now enlarged on bail. Subsequently, the petitioner was placed under suspension by the impugned order dated 17.05.2023. The petitioner has challenged the said order before this Court in W.P.(MD)No.14124 of 2024. This Court, by order dated 01.07.2024, directed the respondents to pass final orders on the suspension within a period of two weeks. However, till date, no final order has been passed.

3. It is further submitted that the petitioner has been under suspension for more than two years, which is contrary to the settled legal position that prolonged



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suspension, without finality, is arbitrary and violative of principles of natural justice. In view of the inordinate delay and the lack of any departmental proceedings or conclusion of criminal trial, the petitioner is entitled to be reinstated in service by quashing the impugned suspension order. Hence, the present writ petition.

4. The learned Standing Counsel for the respondents submits that the present writ petition is not maintainable in law or on facts. The petitioner has already approached this Court earlier by filing W.P.(MD)No.14124 of 2024, in which this Court, by order dated 01.07.2024, directed the respondents to pass final orders on the proceedings initiated against the petitioner, within a period of two weeks from the date of receipt of a copy of that order. If the said order has not been complied with by the respondents, the proper course available to the petitioner is to seek appropriate remedy for non-compliance, such as filing a contempt petition before this Court and not by filing a fresh writ petition, seeking the very same relief, which was already the subject matter of W.P.(MD)No.14124 of 2024.



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5. The learned Standing Counsel further submits that the petitioner, without availing the appropriate legal remedy, has once again invoked the writ jurisdiction of this Court for the same relief and as such, the present writ petition is not maintainable and amounts to an abuse of process of law.

6. In view of the above facts and submissions, this Court is of the opinion that the present writ petition is not maintainable, as the petitioner has already obtained an order in W.P.(MD)No.14124 of 2024 dated 01.07.2024, directing the respondents to pass final orders on the proceedings, within a stipulated time. Instead of pursuing the remedies available in case of non-compliance of that order, the petitioner has filed the present writ petition seeking the very same relief. Therefore, the writ petition lacks merit and is liable to be dismissed. Accordingly, the writ petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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