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REV.APLC.(MD)NO.187 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

REV.APLC.(MD)No.187 of 2025 IN
W.A.(MD)No.1430 of 2022 AND
C.M.P.(MD)No.13582 of 2025

G.Raja

... Petitioner / Respondent

Vs.

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The District Educational Officer,
Devakottai,
Sivagangai District.

... Respondents/Appellants

Prayer: Review application filed under Order 47 Rule 1 & 2
r/w. Section 114 CPC., to review the order made in W.A.(MD)No.1430
of 2022 dated 28.07.2025 passed by this Court.

For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader.

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J U D G M E N T**(Order of the Court was delivered by G.R.SWAMINATHAN, J.)**

Heard both sides.

2. This review application has been filed to review our order dated 28.07.2025 in W.A.(MD)No.1591 of 2024.

3. The writ petitioner is the review applicant.

4. The writ petitioner was suspended vide order dated 08.10.2020. Challenging the same, he filed W.P.(MD)No.10139 of 2021. The writ petition was allowed by the learned single Judge by misapplying the decision of the Hon'ble Supreme Court in ***Ajay Kumar Choudhary*** case. Therefore, the department filed W.A. (MD)No.1591 of 2024. Citing the decision of the Hon'ble Full Bench in ***W.P.Nos.2165 of 2015 and 21628 of 2018 dated 15.03.2022 (P.Kannan V. The Commissioner of Municipal Administration, Chennai)***. We set aside the order of the learned single Judge and allowed the writ appeal. We do not find any ground to review our order.



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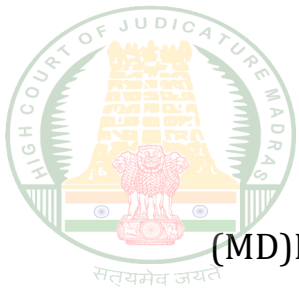
5. The learned counsel for the writ petitioner states that the observations made in paragraph No.3 might cause him prejudice.

Paragraph No.3 of the order reads as follows:-

“It is seen that subsequent to the order of the learned single Judge and pursuant to the institution of the contempt petition, the writ petitioner was reinstated. It is stated that the disciplinary proceedings are about to conclude. We leave it to the discretion of the appellant department as to what action is to be taken.”

According to the learned counsel for the review applicants, the order dated 26.06.2023 passed by the District Collector was independent of any contempt action proposed against him. When he had been reinstated, the writ appeal could have been closed as infructuous.

6. We do not want to go into this aspect. If the authorities on their own had reinstated the writ petitioner without reference to the order obtained by him before the learned single Judge, need to suspend once again may not arise. If, on the other hand, reinstatement was pursuant to the order dated 29.04.2021 in W.P.



(MD)No.10139 of 2021, the issue may take a different dimension. In any event, we have not given any specific direction to the authorities.

We left it to their discretion.

7. In this view of the matter, this review petition is dismissed.

No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
18th August 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The District Educational Officer,
Devakottai,
Sivagangai District.



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REV.APLC.(MD)NO.187 OF 2025

G.R.SWAMINATHAN,J.

AND

K.RAJASEKAR, J.

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REV.APLC.(MD)No.187 of 2025 IN
W.A.(MD)No.1430 of 2022

18.08.2025