IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.1935 of 2026
and
W.M.P. No.2034 of 2026

Sekar ... Petitioner

Vs

The State Rep By
The Block Development Officer,
O/o Polur Panchayat Union,
Tiruvannamalai District. ... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus, calling for records pertaining to the impugned order of suspension dated 20.11.2025 issue by the respondent vide letter No. bearing Na.Ka. En 00A4/ 2980/ 2024 and to quash the same and consequently direct the respondents to reinstate petitioner in service with all consequential attendant service benefits.

For Petitioner : Mr.R. Thirumoorthy

For Respondent : Mr. Bindran
Addl. Govt. Pleader

ORDER

This writ petition has been filed challenging the impugned order of suspension dated 20.11.2025 and for a consequential direction to the respondent to revoke the suspension and permit the petitioner to continue in service.

2. Facts in brief :-

a) The petitioner entered Government service in the year 1997 as a part-time panchayat clerk in Kurinjimalai Village. Thereafter, his services were regularised and he was promoted as Secretary Assistant in the year 2007 and subsequently promoted to the post of Panchayat Secretary. The petitioner assumed charge as Panchayat Secretary at Mampattu Panchayat Union on 23.10.2023.

b) While so, during the financial year 2024–2025, the Block Development Officer orally instructed all Panchayat Secretaries, including the petitioner, to generate property tax receipts and remit the collections to the Government account. In compliance with the said instructions, the petitioner generated property tax receipts. It is the case of the petitioner that though he generated tax receipts amounting to Rs.4,48,948/-, he collected only a sum of Rs.2,18,900/- from the general public and the same was duly remitted to the Government account. On the said allegation, namely misappropriation of funds, he was placed under suspension by the respondent vide impugned order dated

20.11.2025 . It is further stated that prior to issuance of impugned suspension order, a show cause notice dated 17.11.2025 was also issued but the same was served to him only on 23.11.2025. He ventilated his grievances by way of an explanation dated 01.12.2025 seeking revocation of suspension, narrating the aforesaid facts. Subsequent to which, no orders were passed by the respondent. In such circumstances, this writ petition has been filed with the aforesaid prayer.

3. Learned counsel for the petitioner submitted that the suspension is arbitrary and based on an erroneous assumption that the petitioner had collected the tax generated bill amount and not misappropriated the public money. He further contended that the petitioner had only generated tax receipts as instructed and thus, the impugned order of suspension is bad in law, that too without affording an opportunity of hearing the petitioner, the same viz., the order of suspension dated 20.11.2025 was passed.

4. He further submitted that the petitioner has already submitted a detailed representation / explanation seeking revocation of suspension dated 01.12.2025 and it would suffice if a direction is issued to the respondent to consider the same and pass appropriate orders within a reasonable time.

5. In response, the learned Additional Government Pleader submitted that disciplinary proceedings have been initiated against the petitioner and the same would be concluded within a period of three months, after providing an opportunity to the petitioner. He further submitted that the respondent has no objection in considering the petitioner's representation dated 20.11.2025 in accordance with law. In the light of the above, this Court may issue suitable directions to the respondent.

6. Heard the submissions made by the learned counsel on both sides and perused the entire records.

7. Without going into the merits of the allegations, this Court is of the view that since the petitioner's representation / explanation dated 01.12.2025 seeking revocation of suspension is pending consideration, the same deserves to be decided by the respondent. At the same time, prolonged suspension without expeditious conclusion of disciplinary proceedings is not desirable.

8. In view of the above, this writ petition is disposed of with the following directions:

i) The respondent is directed to consider and pass appropriate orders on the petitioner's representation / explanation dated 01.12.2025, seeking revocation of suspension, within a period of four weeks from the date of receipt of a copy of this order.

ii) The respondent shall also proceed with and conclude the disciplinary proceedings, within a period of three months thereafter, by affording due opportunity to the petitioner.

iii) It is made clear that this Court has not expressed any opinion on the merits of the allegations and all issues are left open to be decided by the disciplinary authority.

9. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

23.01.2026

Index : Yes / No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To
The State Rep By
The Block Development Officer,
O/o Polur Panchayat Union, Tiruvannamalai District.

M.DHANDAPANI, J.

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