



WEB COPY

WP No. 4768 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 4768 of 2026
and
WMP.No.5304 of 2026**

R.Sumathi

..Petitioner(s)

Vs

1. Senior Personnel Officer/Recruitment,
Tamil Nadu Power Distribution Corp.Ltd.,
Administrative Branch, N.P.K.R.R. Maaligai,
144, Anna Salai, Chennai 600 002.

2. The Superintendent,
Tamil Nadu Power Distribution Corp. Ltd.,
Administrative Branch, N.P.K.R.R.Maaligai,
144, Anna Salai, Chennai 600 002.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of certiorarified mandamus, calling for the records relating to the memo No.066703/ G14 / G.141 /2025 dated 30/09/2025 of the 1st Respondent and quash the same as illegal and arbitrary and consequently direct the respondent permit the petitioner to rejoin duty / service as Typist with all attendant / consequential benefits.



For Petitioner(s): Mr.I.Abdul Basith

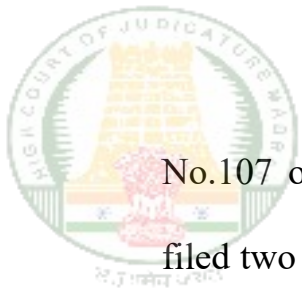
For Respondent(s): Mr.K.Raj Kumar

ORDER

This Writ Petition has been filed dated 30.09.2025 of the 1st Respondent and quash the same as illegal and arbitrary and consequently direct the respondent permit the petitioner to rejoin duty / service as Typist with all attendant / consequential benefits.

2. With the consent of the learned counsel appearing on either side, this Writ Petition is taken up for final hearing at the admission stage.

3. The learned counsel for the petitioner would submit that there was a dispute between the petitioner and one Arivazhagan, who is a practising Advocate in Perambalur. He would submit that the petitioner's husband died in a fatal motor vehicle accident, for which, the said Arivazhagan approached the petitioner for filing a claim petition before the Motor Accident Claims Tribunal. However, it is claimed that though the award has been granted, the said award amount was not properly disbursed to the petitioner and when the petitioner questioned the said Arivazhagan, there was a dispute between them thereby, the petitioner lodged a criminal case as against the Advocate, Arivazhagan in Crime



No.107 of 2025 dated 21.02.2025. As a counter blast, the said Arivazhagan filed two criminal cases as against the petitioner in Crime No.115 of 2025 dated 23.02.2025 and Crime No.274/2025 dated 17.05.2025 and apart from that, the petitioner also made a complaint before the Bar Council of Tamil Nadu and Puducherry. The Bar Council of Tamil Nadu by its order dated 28.11.2025 permanently debarred the said Arivazhagan for professional misconduct. However, on the basis of the criminal complaint made against the petitioner, he filed Criminal O.P.No.34291 of 2025 and 34212 of 2025 and obtained order of interim stay in respect of criminal case as well as the charge sheet vide order dated 16.12.2025 & 17.12.2025 respectively. However, on the basis of the above criminal case, the 1st respondent placed the petitioner under suspension. Challenging the same, the present writ petition is filed.

4. The learned counsel for the petitioner would submit that it is a private dispute and the petitioner is a victim however, the said Arivazhagan made complaint before the disciplinary authority, pursuant to which, the disciplinary authority passed a suspension order without considering the fact that the said Arivazhagan has been permanently debarred from practising as Advocate. He would further submit that the initiating disciplinary proceedings as against the petitioner is not an acceptable one. Accordingly, he prayed for appropriate orders.



5. On instructions, learned counsel for the respondents would submit that on the basis of the criminal case, the present suspension order was passed, which need not be interfered with. Accordingly, he prayed for dismissal of this writ petition.

6. The facts of the present case is not in dispute. There is a dispute between the petitioner and the Advocate, Arivazhagan for disbursal of award amount granted in favour of the petitioner and it is also not disputed fact that there is a complaint and counter complaints between them. While so, the respondent placed the petitioner under suspension without considering the fact that the said Arivazhagan was debarred from practising as Advocate by the Bar Council for the professional misconduct, which is not acceptable one.

7. In view of the above discussion, this Writ Petition is allowed and the impugned order dated 30.09.2025 is set aside. The respondents are directed to reinstate the petitioner into service forthwith. Upon reinstatement, he is entitled to all attendant and consequential benefits. No costs. Consequently, connected miscellaneous petition is closed.

16-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KKN



To

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M.DHANDAPANI, J.

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