



WEB COPY

WP No. 8469 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 07-01-2026**

CORAM

**THE HONOURABLE MR JUSTICE M.DHANDAPANI**

**WP No. 8469 of 2024  
and WMP.No.9419 of 2024**

Dr.G.Vijayaraghavan  
(under Suspension)  
Director, Tamil Etymological  
Dictionary Project, Chennai-28.

Petitioner(s)

Vs

The State Of Tamil Nadu  
Rep By Its Secretary, Tamil  
Development And Information  
(T.D.2.1) Dept, Secretariat, Fort  
St.George, Chennai-600 009.

Respondent(s)

**PRAYER**

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in G.O.(D). No. 43, Tamil Development and Information (T.D.2.1) Department dated 28.02.2024 and the consequential order in G.O.(D).No.44, Tamil Development and Information (T.D.2.1) Department dated 29.02.2024 quash the same and consequently, direct the 1st respondent to revoke the suspension of the petitioner and allow him to retire with all the consequential attendant and monetary benefits with effect from 29.02.2024.



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For Petitioner(s): Mr.V.Prakash, Senior Counsel for  
Mr.K.GOWTHAM KUMAR

For Respondent(s): Mr.P.Ganesan  
Additional Government Pleader

### **ORDER**

This Writ Petition has been filed seeking quashment of the order passed by the respondent in G.O.(D). No. 43, Tamil Development and Information (T.D.2.1) Department dated 28.02.2024 and the consequential order in G.O. (D).No.44, Tamil Development and Information (T.D.2.1) Department dated 29.02.2024 and consequently, direct the respondent to revoke the suspension of the petitioner and allow him to retire with all the consequential attendant and monetary benefits with effect from 29.02.2024.

2. Mr.P.Ganesan, learned Additional Government Pleader takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that the petitioner joined as Assistant Director in the respondent Department through direct recruitment in the year 1998. Subsequently, he was appointed as Director of International Institute of



Tamil Studies in the year 2012 and later as Director of Tamil Etymological Dictionary Project in the year 2021. While so, on 04.07.2023, a criminal case was registered against the petitioner by the Directorate of Vigilance and Anti-Corruption (DVAC) alleging misappropriation of funds. Since the petitioner was due to retire on attaining the age of superannuation on 29.02.2024, he made a representation dated 16.02.2024 before the respondent, seeking permission to retire, as no disciplinary proceedings had been initiated against him till that date. Thereafter, the petitioner made several representations, however, the same were in vain. While so, the respondent vide G.O.(D).No.43, Tamil Development & Information (T.D 2.1) Department, dated 28.02.2024, placed the petitioner under suspension under Rule 17(3) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. Subsequently, the respondent passed another Government Order in G.O.(D).No.44, Tamil Development & Information (T.D.2.1) Department, dated 29.02.2024 came to be passed by the respondent, by which the petitioner was not allowed to retire upon reaching the date of superannuation and was retained in service until the conclusion of the enquiry. Challenging the said order of suspension and the consequential order retaining him in service, the petitioner has filed this Writ Petition.

4. Learned counsel for the petitioner submitted that pending the Writ Petition, the Government issued G.O.(Ms).No.47, Human Resources Management (FR-iii) Department, dated 29.08.2025, cancelling Fundamental



Rule 56(1)(c), under which the petitioner was earlier not permitted to retire pursuant to G.O.(D).No.44, Tamil Development & Information (T.D.2.1) Department, dated 29.02.2024. He further submitted that the Government issued a clarification letter dated 09.10.2025 in Letter (Ms).No.7399/FR-3.Spl./2025-1, wherein Clause 4(8) specifically clarifies that Government servants who were already retained in service beyond the date of their superannuation under the erstwhile Fundamental Rule 56(1)(c) shall be deemed to have retired from service on their respective dates of superannuation, and that the disciplinary proceedings pending against them shall thereafter be continued under Rule 9(2) (a) of the Tamil Nadu Pension Rules, 1978. The learned counsel submitted that in view of the said clarification, the petitioner stands permitted to retire from the service and, consequently, the order of suspension dated 28.02.2024 lapses automatically. Hence, the learned counsel prayed for allowing the Writ Petition by quashing the both impugned orders passed by the respondent.

5. Mr.P.Ganesan, learned Additional Government Advocate appearing for the respondent, does not dispute the factual aspects of the present case and seeks permission of this Court to grant liberty to the respondent to proceed with the disciplinary proceedings pending against the petitioner in terms of 9(2)(a) of the Tamil Nadu Pension Rules, 1978.



6. In view of the clarification issued by the Government in Letter (Ms).No.7399/FR-3.Spl./2025-1, dated 09.10.2025, the impugned Government Orders passed by the respondent in G.O.(D).No.43, Tamil Development & Information (T.D 2.1) Department, dated 28.02.2024, and G.O.(D).No.44, Tamil Development & Information (T.D.2.1) Department, dated 29.02.2024, are set aside. Liberty is granted to the respondent to proceed with the disciplinary proceedings against the petitioner in accordance with Rule 9(2)(a) of the Tamil Nadu Pension Rules, 1978.

7. This Writ Petition stands allowed. There shall be no order as to costs. Consequently, connected Writ Miscellaneous Petition is closed.

**07-01-2026**

Anu

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The State Of Tamil Nadu  
Rep By Its Secretary, Tamil  
Development And Information (t.D.2.1)  
Dept, Secretariat, Fort St.George,  
Chennai-600 009.



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**M.DHANDAPANI J.**

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