



WEB COPY

WP No. 10449 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 10449 of 2026

A.Govindaraju
S/o.Arumugam,
Tahsildar,(LA)(Under Suspension)
High Ways Unit No.1
Salem District.

..Petitioner(s)

Vs

The District Collector
Collectorate Compound,
Salem, Salem District.

..Respondent(s)

Prayer: - Writ petition filed under Article 226 of the constitution of India praying for issuance of a writ of MADAMUS directing the respondent to review the Suspension order vide Roc. e- 31341/ 2025/A2dated 25.09.2025 as per the government order vide G.O.Ms. NO. 81, Human Resources Management (N) Department, dated 04.08.2022, and G.O.(D) No.450 Municipal Administration and Water Supply Department dated 29.12.2025 and by considering the representation dated 18.06.2025 and pass.

For Petitioner(s): P.Ganesan

For Respondent(s): Mr.T.Chandrasekar, SGP



ORDER

The Writ Petition is filed for the following relief:

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“directing the respondent to review the Suspension order vide Roc. e-31341/ 2025/A2dated 25.09.2025 as per the government order vide G.O.Ms. NO. 81, Human Resources Management (N) Department, dated 04.08.2022, and G.O.(D) No.450 Municipal Administration and Water Supply Department dated 29.12.2025 and by considering the representation dated 18.06.2025”

2. With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

3. On the ground of prolonged suspension, the petitioner seeks for interference of this Court through the present Writ Petition seeking to have the same reviewed.

4. The Hon’ble Supreme Court in the case of ***Ajay Kumar Choudhary Vs. Union of India reported in 2015 (7) SCC 291*** had set certain guidelines with regard to prolonged suspension. The Hon’ble Full Bench of this Court in the case of ***P.Kannan Vs. Commissioner of Municipal Administration and***



others reported in 2022 (2) CTC 353 had held that the Judgement of the Apex Court, in the case of *Ajay Kumar Choudhary (Supra)* does not lay down an absolute proposition of law that an order of suspension cannot be continued beyond the period of three months on the circumstances mentioned therein and that the order of suspension should be analysed on the facts of each case, considering the gravity of charges and the Rules applicable. It was further held that the revocation of the suspension with a direction to the employer to post the delinquent in a non-sensitive post, as held in *Ajay Kumar Choudhary's case (supra)*, also cannot be endorsed or directed as a matter of course.

5. In line with the orders passed by the Hon'ble Supreme Court, as well as the Hon'ble Full Bench of this Court, the Government in GO.Ms.No.81, Human Resources Management (N) Department, Dated 04.08.2022 had stipulated a compendium of instructions for review of suspension orders in matter which are pending inquiry into grave charges.

6. On consideration of these instructions in GO.Ms.No.81, this Court is of the view that the respondents herein could be directed to review the order of suspension in accordance with the guidelines issued thereunder.



7. In the light of the above findings, there shall be a direction to the respondent, to consider the petitioner's representation dated 29.12.2025 seeking review of his suspension in accordance with the instructions issued by the Government in G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022 and G.O.(D) No 450 Municipal Administration and water supply Department dated 29.12.2025 and pass appropriate orders within a period of 2 months from the date of receipt of a copy of this order.

8. The Writ Petition is allowed with the above lines. No cost.

18-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SHR

To

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Collectorate Compound,
Salem, Salem District.



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P.T.ASHA J.

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