



WEB COPY



W.P.No.13463 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.13463 of 2019
and WMP.No.13576 of 2019

M.Kumar
Formerly Assessor
TANGEDCO
Manali New Town/Tondiarpet Division
Chennai 103.

...Petitioner

Vs.

1.The Chairman-cum-Managing Director
Tamilnadu Generation and Distribution Corporation Ltd.,
TANGEDCO
No.144, Anna Salai
Chennai 02.

2.The Chief Engineer (Personal)
Tamilnadu Generation and Distribution Corporation Ltd.,
TANGEDCO
No.144, Anna Salai
Chennai 02.

3.The Superintending Engineer
Tamilnadu Generation and Distribution Corporation Ltd.,
TANGEDCO
No.144, Anna Salai
Chennai 02.

...Respondents



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Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in connection with the impugned suspension order issued by him Memo.No.SE/CEDC/North/Adm.I/A.4/F.Suspension/D.No.611/2013 dated 06.11.2013 and quash the same and further direct the respondents to reinstate the petitioner into service with all attendant benefits.

For Petitioner : Ms.R.Amrutha
for Mr.Ilamurugu G

For Respondents : Mr.K.Purushothaman
Standing Counsel (TANGEDCO)

ORDER

The petitioner challenges the order dated 06.11.2013 passed by the third respondent. By the said order, the petitioner, who was working as Assessor, Manali New Town, Sub-Division, Manali, Tondiarpet Division, was placed under suspension on the allegation that he had received illegal gratification.

2. The order of suspension was passed on the ground that a criminal case had been registered against the petitioner and was pending. The suspension order is dated 06.11.2013. Thereafter, the petitioner submitted a representation to the fourth respondent seeking revocation of the suspension order.



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3. Heard Ms.R.Amrutha, learned counsel for Mr.Ilamurugu G., learned counsel for the petitioner, and Mr.K.Purushothaman, learned Standing Counsel appearing for the respondents.

4. G.O.(Ms).No.81 dated 04.08.2022, issued by the Human Resources Management (N) Department, Clause 11(xi), states that in cases where the charges in a criminal case involve complicated questions of law and fact and the Disciplinary Authority is not in a position to finalize the departmental disciplinary proceedings, and where the criminal case is based on a vigilance report and is pending before a Court of law without explicit reasons for delay, the competent authority may review the suspension and post the Government servant in a non-sensitive post, in consultation with the appropriate investigating authority/Vigilance Commission, on a case-to-case basis. This is in view of the fact that prolonged suspension and payment of subsistence allowance for an extended period without extracting work is not acceptable.

5. Therefore, this Writ Petition is disposed of, preserving liberty to the petitioner to submit a representation to the third respondent seeking revocation of the suspension. If such a representation is submitted, the third respondent



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shall consider the same on its own merits and in accordance with law and pass

appropriate orders. The said exercise shall be completed within a period of four weeks from the date of submission of the representation by the petitioner.

Consequently, the connected Miscellaneous Petition is closed. There shall be no order as to costs.

19.02.2026

Index : Yes/No
Speaking order : Yes/No
dna



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HEMANT CHANDANGOUDAR.J.,

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