



WEB COPY

WP No. 15277 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

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

WP No. 15277 of 2026

AND

WMP Nos. 16474 and 16476 of 2026

M.Selvarani
Revenue Inspector,
Thiruvannamalai Municipality,
Thiruvannamalai District 606 601

..Petitioner(s)

Vs

1. The Secretary
Government of Tamil nadu,
Municipal Administration Water supply
Department,
Fort George, Chennai 600 601
2. The Director / Commissioner of Municipal
Administration
Santhome High Road,
MRC Nagar,Raja Annamalaipuram,
Chennai 600 028
3. The Regional Director of Municipal
Administration
Sarathy nagar, Kagithapatarai,
Vellore 632 012



4. The Commissioner
Thiruvannmalai municipality,
thiruvannamalai District 606 601

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Ceritorarified Mandamus calling for the records of the 3rd respondent in Roc. No 4447/ 2019 / A2 dated 31.05.2024 and quash the same and accordingly direct the 3rd respondent to reinstate the petitioner in any non-sensitive post and by following the judgement of the Honble Apex court in Ajay kumar Choudhary case reported in (2015) (3) CTC 119 and G.O (Ms) No 81 Human Resources Management dated 04.08.2022.

For Petitioner(s): Mr.Sharath Chandran
for Mr. P.Nethaji

For Respondent(s): Mr. C.Selvaraj,
Additional Government Pleader

Order

This Writ Petition has been filed for the following relief:

“To issue a Writ of Ceritorarified Mandamus calling for the records of the 3rd respondent in Roc. No 4447/ 2019 / A2 dated 31.05.2024 and quash the same and accordingly direct the 3rd respondent to



reinstate the petitioner in any non-sensitive post and by following the judgement of the Honble Apex court in Ajay kumar Choudhary case reported in (2015) (3) CTC 119 and G.O (Ms) No 81 Human Resources Management dated 04.08.2022.”

2. The petitioner was appointed as a Typist on 09.01.2009. The petitioner's services has been regularized from the initial date of appointment by proceedings dated 19.08.2015. She was later promoted to the cadre of Revenue Inspector on 11.10.2023 and joined the 4th respondent's office on 13.10.2023.

3. To the shock and surprise of the petitioner, one R.Ramesh, had filed a false complaint against the petitioner before the Vigilance and Anti Corruption Department, stating that she had demanded a bribe of a sum of Rs.30, 000/-. According to the petitioner, the said complaint is nothing but vexatious and false.

4. While so, on 29.05.2024, the petitioner was arrested pursuant to the said complaint. Thereafter, the 3rd respondent issued an order of suspension by proceedings dated 31.05.2024 under Rule 17 (e) (2) of the Tamil Nadu



Civil Services (Discipline and Appeal) Rules and the petitioner was placed under suspension. Subsequently, the petitioner was granted bail on 12.06.2024. During the search conducted by the Anti Corruption Department, no documents, ornaments or money were found. The petitioner has been approaching the 3rd respondent periodically seeking revocation of the order of suspension and permission to rejoin duty. However, no action has been taken and no charge sheet has been filed against the petitioner.

5. The learned counsel for the petitioner would submit that the petitioner has been kept under prolonged suspension without issuance of a charge memo or charge sheet and such continued suspension is impermissible in law. He would further submit that the Hon'ble Supreme Court, in a catena of decisions, has held that suspension cannot be continued for an indefinite period.

6. Heard the learned counsel on either side and perused the records.

7. In the case on hand, the petitioner has been placed under suspension by order dated 31.05.2024 and continues to remain under suspension for a considerable period. Admittedly, neither a charge memo nor a charge sheet



has been issued to the petitioner till date. G.O.Ms.No.81, Human Resources Management (N) Department, dated 04.08.2022, has been issued with a view to prevent unnecessary prolonged suspension and mandates periodical review of suspension. However, the 3rd respondent has failed to review the order of suspension periodically as required under the said Government Order.

8. The Hon'ble Supreme Court in the judgment reported in **(2015) 7 SCC 291 [Ajay Kumar Choudhary Vs. Union of India]** has categorically held that the currency of a suspension order should not extend beyond three months if within that period the charge sheet is not served. In the present case, despite lapse of considerable time, no charge sheet has been filed and the petitioner continues to remain under suspension, which is contrary to the principles laid down by the Hon'ble Supreme Court.

9. This Court, in similar circumstances, has consistently held that an employee cannot be kept under prolonged suspension and has directed the authorities to post such employees in a non-sensitive post pending proceedings.



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10. In view of the above, this Court is of the considered view that the continued suspension of the petitioner cannot be sustained.

11. Accordingly, this writ petition is allowed. The impugned order is quashed and the petitioner shall be posted in some non-sensitive post, as the charge sheet is yet to be filed. Consequently, the connected miscellaneous petition is closed. No costs.

20-04-2026

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

SRN

To

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Government of Tamil nadu,
Municipal Administration Water supply
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Fort George, Chennai 600 601
2. The Director / Commissioner of Municipal
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Santhome High Road,
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