



WEB COPY

WP No. 23621 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-06-2026

CORAM

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

WP No. 23621 of 2026

AND

WMP NO. 25577 OF 2026

K.R.Sabarirajan

..Petitioner(s)

Vs

1. The Chairman And Managing Director
The Secretariat Branch,
Tamilnadu Power Distribution Corporation
Limited, NPKRR Maligai, 144, Annasalai,
Chennai – 600002.

2. The Superintending Engineer
Coimbatore Electricity Distribution Circle,
South coimbatore - 641012.

..Respondent(s)

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to quash memorandum No.39399/A5/A52/2025-1 dated 20.06.2025 issued by the respondent and consequently direct the 1st respondent to reinstate the petitioner to his post.

For Petitioner(s):

Mr.M.Velmurugan

For Respondent(s):

Mr.K.Rajkumar,
Standing Counsel



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Order

This Writ Petition has been filed for the following relief:

“To issue a Writ of Certiorari to quash memorandum No.39399/A5/A52/2025-1 dated 20.06.2025 issued by the respondent and consequently direct the 1st respondent to reinstate the petitioner to his post.”

2. The petitioner would submit that he was appointed as an Assistant Electrical Engineer on 09.06.1995. From the date of joining service, he has been serving in various levels in the Electricity Department. While he was posted in Coimbatore, one Karunakaran had filed a false complaint against the petitioner before the Vigilance and Anti Corruption Department, stating that he had demanded a bribe of a sum of Rs.20,000/- towards the estimated cost for relocation of a pole situated at his premises.

3. While so, on 17.06.2025, the petitioner was arrested pursuant to the said complaint. Thereafter, the 3rd respondent issued an order of suspension through proceedings dated 20.06.2025 under Rule 9 (b) of the Tamil Nadu Electricity Board Employees' Discipline and Appeal Regulations read with the Tamil Nadu Electricity (Re-organization and Reforms) Transfer Scheme, 2010 and the petitioner was placed under suspension. Subsequently, the



petitioner was granted bail on 20.06.2025. The petitioner has submitted a representation dated 07.10.2025 to the 1st respondent periodically seeking reinstatement which was not considered. Aggrieved by the suspension order, the petitioner had filed W.P. No. 46435 of 2025 before this Court, and this Court had, by order dated 02.12.2025, dismissed the same on the ground that it was premature. The petitioner would further submit that he has been placed under suspension for nearly a year and there is no progress in the criminal proceedings and the charge sheet has also not been filed against the petitioner. Hence, the petitioner is before this Court.

4. 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.

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

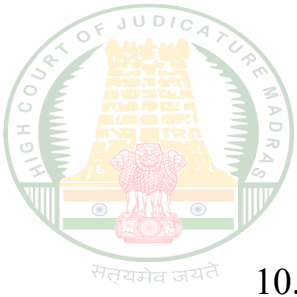
6. In the case on hand, the petitioner has been placed under suspension by order dated 20.06.2025 and continues to remain under suspension for a



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.

7. 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.

8. 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 partly 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.

25-06-2026

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

SRN

To

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