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W.A.No.1660 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.1660 of 2026
and C.M.P.No.15205 of 2026

1. The State of Tamil Nadu
Rep by the Secretary to Government,
Commercial Taxes and Registration
Department, Fort. St. George,
Chennai-600 009.
2. The Inspector General of Registration
No.100, Santhome High Road,
Mullima Nagar, Mandavelipakkam,
Raj Annamalai Puram,
Chennai-600 028.

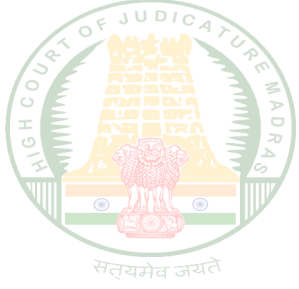
Appellant(s)

Vs

A.Senthurpandian
S/o.M.Ayeraramu,
No.62, ICL Hometown,
Noombal, (Numbel) Village,
Chennai-600 077.

Respondent(s)

PRAYER: Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 12.06.2026 made in WMP No.23507 of 2026 in WP No.21699 of 2026 and allow the appeal.



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For Appellant(s): Mr.P.V.Balasubramaniam,
Additional Advocate General
assisted by Mr.K.Kumaran,
Government Pleader

For Respondent(s): Mr.Haja Mohideen Gisthi

JUDGMENT
(Delivered by the Hon'ble Chief Justice)

This intra-court appeal is directed against the interim order dated 12.06.2026 passed by the learned Single Judge in W.P.No.21699 of 2026. By the said order, the learned Single Judge granted an interim stay of the suspension order passed against the respondent, thereby effectively truncating the disciplinary process initiated by the appellants at its very threshold.

2. The respondent, who was serving as a District Registrar (Audit) in Tirupathur, was placed under suspension vide G.O. (2D).No.122 dated 01.06.2026. The gravamen of the allegations against him is one of profound gravity, viz., involvement in a criminal conspiracy to forge the signatures of thirteen other District Registrars in a spurious communication addressed to the Vigilance Commission. Upon a preliminary inquiry, the appellants, in their



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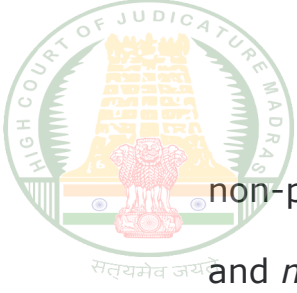
wisdom, deemed it imperative to place the respondent under suspension to ensure a free and untrammelled domestic inquiry into these allegations levelled against him.

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3. The learned Single Judge, after perusing the official files, expressed a *prima facie* suspicion regarding the pagination of the note file, particularly qua the inclusion of handwritten notes on pages 41 and 42 and the alacrity with which the file moved on a single day, and, thus, stayed the order of suspension.

4.1. Learned Additional Advocate General appearing on behalf of the appellants contended that the learned Single Judge erred in granting what is essentially the final relief at the interlocutory stage. It is submitted that the inserted pages were merely a continuation of remarks necessitated by a lack of space on the preceding page, which is a common administrative occurrence.

4.2. Furthermore, it is argued that the respondent approached the writ court with "unclean hands," having suppressed the dismissal of a previous writ petition, viz., W.P.No.1041 of 2019, for

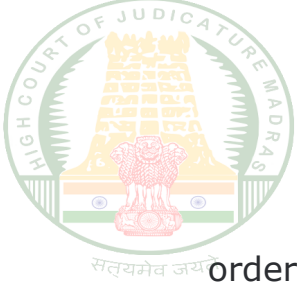
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non-prosecution, wherein similar allegations of personal bias and *malafides* against the authorities were alleged.

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5. In contradistinction to the appellants' stance, learned counsel for the respondent sought to vindicate the reasoning that found favor with the learned Single Judge and prayed for the dismissal of the appeal. It was further urged that, since the impugned order is purely interlocutory and preserves the appellants' right to file a counter-affidavit, the appellants should be relegated to the writ court to ventilate their grievances and contest the writ petition on its merits. He submitted that, in deference to the interim order passed by the learned Single Judge, the respondent has been restored to his erstwhile position in service.

6. We have bestowed our anxious consideration upon the rival submissions of learned counsel appearing for the respective parties and have scrutinized the impugned order as well as the materials available on record.

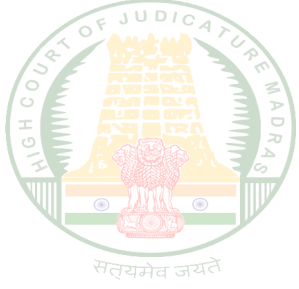


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7. It is an axiomatic principle of administrative law that an order of suspension is not a punishment, but a temporary measure to keep an officer away from the seat of power during an inquiry into serious charges. The courts must exercise extreme circumspection before interfering with such orders. The said view is fortified by a decision of the Supreme Court in *State of Orissa v. Bimal Kumar Mohanty*¹, wherein it is held thus:

"13. It is thus settled law that normally when an appointing authority or the disciplinary authority seeks to suspend an employee, pending inquiry or contemplated inquiry or pending investigation into grave charges of misconduct or defalcation of funds or serious acts of omission and commission, the order of suspension would be passed after taking into consideration the gravity of the misconduct sought to be inquired into or investigated and the nature of the evidence placed before the appointing authority and on application of the mind by disciplinary authority. Appointing authority or disciplinary authority should consider the above aspects and decide whether it is expedient to keep an employee under suspension pending

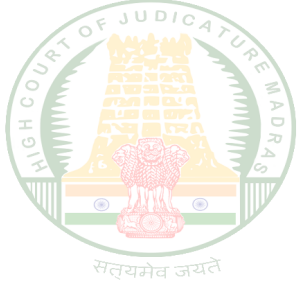
¹ (1994) 4 SCC 126



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aforesaid action. It would not be as an administrative routine or an automatic order to suspend an employee. It should be on consideration of the gravity of the alleged misconduct or the nature of the allegations imputed to the delinquent employee. **The Court or the Tribunal must consider each case on its own facts and no general law could be laid down in that behalf. Suspension is not a punishment but is only one of forbidding or disabling an employee to discharge the duties of office or post held by him. In other words it is to refrain him to avail further opportunity to perpetrate the alleged misconduct or to remove the impression among the members of service that dereliction of duty would pay fruits and the offending employee could get away even pending inquiry without any impediment or to prevent an opportunity to the delinquent officer to scuttle the inquiry or investigation or to win over the witnesses or the delinquent having had the opportunity in office to impede the progress of the investigation or inquiry etc. But as stated earlier, each case must be considered depending on the nature of the allegations, gravity of the situation and the indelible impact it creates on the service for the continuance of the delinquent**



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*employee in service pending inquiry or contemplated inquiry or investigation. **It would be another thing if the action is actuated by mala fides, arbitrary or for ulterior purpose. The suspension must be a step in aid to the ultimate result of the investigation or inquiry.** The authority also should keep in mind public interest of the impact of the delinquent's continuance in office while facing departmental inquiry or trial of a criminal charge."*

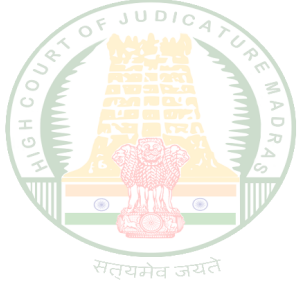
[emphasis supplied]

8. Moreover, the order under challenge suffers from the vice of granting the final relief prayed for in the writ petition at an interlocutory stage, thereby rendering the main cause virtually redundant at its very inception. By staying the suspension, the respondent is effectively restored to duty, thereby rendering the main prayer in the writ petition redundant. It is settled law, as elucidated by the Supreme Court in a catena of decisions, that the court should not grant interim orders which have the effect of allowing the petition finally. It is seemly to refer to the relevant passage of a decision of the Supreme Court in *State of U.P. v. Ram*

*Sukhi Devi*² hereunder:

2 (2005) 9 SCC 733

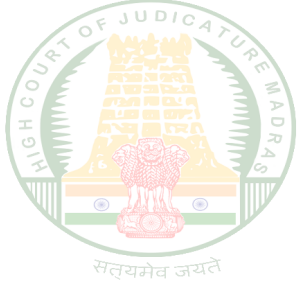
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"8. To say the least, approach of the learned Single Judge and the Division Bench is judicially unsustainable and indefensible. **The final relief sought for in the writ petition has been granted as an interim measure.** There was no reason indicated by learned Single Judge as to why the government order dated 26-10-1998 was to be ignored. **Whether the writ petitioner was entitled to any relief in the writ petition has to be adjudicated at the time of final disposal of the writ petition. This Court has on numerous occasions observed that the final relief sought for should not be granted at an interim stage. The position is worsened if the interim direction has been passed with stipulation that the applicable government order has to be ignored. Time and again this Court has deprecated the practice of granting interim orders which practically give the principal relief sought in the petition for no better reason than that of a prima facie case having been made out, without being concerned about the balance of convenience, the public interest and a host of other considerations.** [See CCE v. Dunlop India Ltd. (1985) 1 SCC 260; State of Rajasthan v. Swaika Properties, (1985) 3 SCC 217; State of



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U.P. v. Visheshwar, 1995 Supp (3) SCC 590; Bharatbhushan Sonaji Kshirsagar (Dr.) v. Abdul Khalik Mohd. Musa, 1995 Supp (2) SCC 593; Shiv Shankar v. Board of Directors, U.P. SRTC, 1995 Supp (2) SCC 726; and Commr./Secy. to Govt. Health and Medical Education Deptt. Civil Sectt. v. Dr. Ashok Kumar Kohli, 1995 Supp (4) SCC 214.] ...”

[emphasis supplied]

9. The appellants have provided a plausible explanation that page 40 was exhausted and the official chose to record his detailed remarks on subsequent pages. To characterize this as a subsequent insertion at a *prima facie* stage, without the benefit of a counter-affidavit, is unwarranted. Speed in administration is not always an indicator of malice, it can equally be a reflection of efficiency in dealing with a grave matter of forgery within the department.

10. Equity follows the law, but it also demands transparency. The respondent failed to disclose in the writ petition that his earlier attempt to cast aspersions of *malafides* against the department in W.P.No.1041 of 2019 had ended in dismissal. A litigant who seeks the extraordinary remedy of a stay must approach the Court with

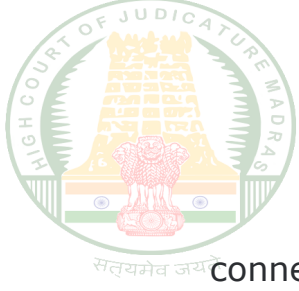
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candor. The omission to mention the prior litigation is not a mere technicality, but a substantive failure to maintain the standards of bona fide litigation.

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11. The allegations against the respondent involve the integrity of the registration department. To allow an officer facing charges of forgery and conspiracy to continue in service, by staying a suspension order based on a cursory glance at file pagination, would be to jeopardize the sanctity of the inquiry. The learned Single Judge has traversed beyond the limited scope of judicial review available at the interim stage.

For the aforegiven reasons, the writ appeal is allowed. The interim order dated 12.06.2026 passed in W.P.No.21699 of 2026 is hereby set aside. The appellants are at liberty to proceed with the disciplinary inquiry in accordance with the law. All observations made herein are for the purpose of deciding this appeal and shall not prejudice the final adjudication of the writ petition.



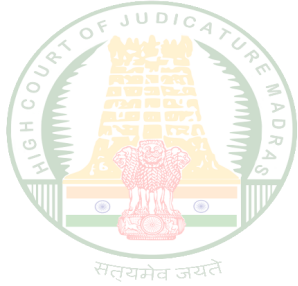
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There shall be no order as to costs. Consequently, the connected interim application stands closed.

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(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
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Index : Yes
Neutral Citation : Yes
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(sasi)

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