



W.A(MD) No.908 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 18.03.2026

CORAM

**THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR. JUSTICE P.B.BALAJI**

**W.A(MD)No.908 of 2022
and
C.M.P(MD)No.7966 of 2022**

Ukkirapandi

... Appellant /
5th Respondent

Vs

1.S.Vijayalakshmi

... 1st Respondent /
Petitioner

2.The District Collector,
Madurai District,
Madurai.

3.The Personal Assistant (Development)
to the Collector,
Madurai District,
Madurai.

4.The Assistant Director of Panchayat,
Madurai District,
Madurai.



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5.The Block Development Officer (Village Panchayat),
Usilampatti Union,
Madurai District,
Madurai.

... Respondents /
Respondents

PRAYER :- Writ Appeal is filed under Clause 15 of Letters Patent to call for the records and set aside the order dated 08.02.2022 passed by the learned Judge in W.P(MD)No.18213 of 2019 and allow the Writ Appeal.

For Appellant : Mr.M.Mohammed Meeran
for Mr.A.Mithun Chakravarthi

For Respondents : Mr.P.R.Prithiviraj
for R.1

Mr.S.Vinodh
Government Advocate
for R.2 to R.5

JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

This Writ Appeal is directed against the order dated 08.02.2022 passed by learned Single Judge allowing W.P(MD)No.18213 of 2019 filed by the first respondent herein (S.Vijayalakshmi). Vijayalakshmi



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was working as Panchayat Secretary in the appellant local body. She was placed under suspension on 26.10.2012. She filed W.P(MD)No.18213 of 2019 challenging the order of suspension. The writ petition came up for final hearing on 08.02.2022. By then, full nine years have elapsed. The Hon'ble Supreme Court in the decision reported in **(2015) 7 SCC 291 (Ajay Kumar Choudhary Vs Union of India)** had held that prolonged suspension is impermissible because it acquires a punitive character.

2.Paragraph 4 and 5 of the order passed by the learned single Judge read as follows:

“4. Keeping an employee under suspension for an indefinite period without reviewing the order of suspension is in violation of the established principles. This apart, long suspension would cause prejudice both to the employees as well as to the Department. In the event of dropping of proceedings or otherwise, even for the period during which the petitioner has not worked, the salary has to be paid. Thus, the loss to the State Exchequer is to be considered by the Authorities competent.

5. In view of the fact that the petitioner is under continuous suspension for about nine years, the



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impugned order passed by the first respondent, dated 26.10.2012, is quashed and the writ petition is allowed. The respondents are directed to reinstate the petitioner within a period of four weeks from the date of receipt of a copy of this order and proceed with the departmental disciplinary proceedings and conclude the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petitions are closed.”

The learned single Judge adopted the right approach. What has been terminated is suspension that has lasted for more than 9 years. We do not find any ground to interfere.

3.This Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [P.B.B, J.]
18.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA



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