



W.P.(MD) No.7458 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.7458 of 2026
and
W.M.P.(MD) Nos.6127 & 6130 of 2026

S.Karuppuchamy

... Petitioner

-VS-

The Revenue Divisional Officer
Paramakudi Sub-Division
Paramakudi
Ramanathapuram District

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records on the file of the respondent pertaining to its proceeding bearing in Roc.A5/11915/2025, dated 10.12.2025 and to quash the same and consequently directing the respondent to revoke the suspension order by considering the representation dated 20.01.2026 in the light of G.O.(Ms) No. 81, Human Resources Management (N) Department, dated 04.08.2022.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.S.Shaji Bino
Special Government Pleader



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W.P.(MD) No.7458 of 2026

ORDER

Mr.S.Shaji Bino, learned Special Government Pleader, takes notice for the respondent.

2. With the consent of both sides, this writ petition is disposed of at the admission stage.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondent.

4. The petitioner herein, while working as Village Administrative Officer in Venthoni Group, Paramakudi Taluk, Ramanathapuram District, on certain allegations of corruption, was placed under suspension through proceedings dated 10.12.2025, issued by the respondent herein and he is being continued under suspension till date. Under those circumstances, the petitioner is claimed to have submitted a representation dated 20.01.2026 to the respondent seeking revocation of the suspension. However, the said representation is still pending consideration before the respondent. Hence, the petitioner has approached this Court by filing this writ petition complaining inaction on the part of the respondent on his representation.



W.P.(MD) No.7458 of 2026

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5. Learned Special Government Pleader appearing for the respondent, on instructions, submitted that the matter of suspension is now governed by various guidelines issued by the Government vide Government Order in G.O.(Ms) No.81, Human Resources Management (N) Department, dated 04.08.2022 and therefore, the suspension order issued against the petitioner would be reviewed in accordance with the guidelines issued under the said Government Order.

6. In the light of the above, this Court is of the considered view that it would be appropriate to dispose of this writ petition directing the respondent to review the order of suspension duly taking into consideration the guidelines issued under the said Government Order. It would be appropriate to extract the relevant portion of the said Government Order hereunder:

11.The Government, after careful examination, reiterates the guidelines issued in the Government Order second read above with slight modification as follows:

(i) The power of ordering suspension should be exercised carefully and with restraint. Before a suspension order is issued, the authority concerned must be clear in mind that it is necessary. Prolonged suspension means that



WEB COPY



W.P.(MD) No.7458 of 2026

Government pays a Government Servant without extracting any work from him. In view of the above position, the suspension should not be resorted to unless the concerned authority has considered all the relevant factors and recorded his reasoned conclusion that it is in the public interest to place the Government Servant under suspension.

(ii) Where a Government Servant has been suspended on disciplinary proceedings contemplated, such proceedings should be initiated immediately and finalized normally within a period of six months.

(iii) In cases, where a Government Servant has been suspended and the matter has been referred for investigation to the Director of Vigilance and Anti-Corruption for enquiry, the latter should complete the enquiry and send the report to Government through the Vigilance Commission within one year.

(iv) In respect of cases referred to under Items (ii) and (iii) above, the authority who ordered the suspension or the Director of Vigilance and Anti-Corruption, as the case may be, should before the expiry of the period of three months, report the matter to the Head of the Department / Government, indicating the



WEB COPY



W.P.(MD) No.7458 of 2026

progress of the disciplinary action / investigation by the Director of Vigilance and Anti-Corruption, the reasons for non completion of the work and the further time required for completing the disciplinary action / investigation and furnish reasons for continuing the suspension, if continued suspension is felt essential. If the authority which initiated action in the first instance is the Head of the Department, the report has to be sent to Government.

(v) After initial report referred to in item (iv) above, reports should be sent to Government at the end of every three months, indicating the further progress, so as to enable the Government to review the suspension and the progress of the case, for such action as may be necessary to ensure expeditious disposal.

(vi) The Head of the Department or the Government as the case may be will examine the cases with reference to the subject matter of the disciplinary action / investigation in progress and the reported stage of progress and permit the continued suspension beyond three months / six months. Where the Government itself, have ordered suspension, it will examine the case on the same lines and pass similar order.



WEB COPY



W.P.(MD) No.7458 of 2026

(vii) *The disciplinary authorities should ensure that the delay in processing the case is not due to delaying tactics of the Government Servant. They should ensure that all notices issued to the suspended Government Servant should reach him without any loss of time.*

(viii) *When the disciplinary authority comes to a conclusion suo-motu or after conclusion of the investigation by the Director of Vigilance and Anti-Corruption, the disciplinary authority shall, while initiating action by issue of charges under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955, as the case may be, examine with reference to the facts established, which form the basis for the charges, whether public interest or the needs for further proceedings will require continued suspension of the Government Servant already under suspension.*

(ix) *The time limits mentioned above will not be applicable to cases of Government Servants against whom criminal proceedings have been initiated. However, while sanctioning prosecution in such a criminal case, an examination similar to the one mentioned in item (viii) above shall be made by the competent authority.*



WEB COPY



W.P.(MD) No.7458 of 2026

(x) If, on examination of the case under items (vi), (viii) or (ix) above, continued suspension is considered not necessary, the suspension may be revoked in exercise of the powers conferred under Rule 17(e)(6) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules or under Rule 3(e)(5) of the Tamil Nadu Police Subordinate Services (Discipline and Appeal) Rules, 1955, as the case may be.

(xi) In cases where the charge in the criminal case involves complicated questions of law and fact that the disciplinary authority is not in a position to finalize the departmental disciplinary proceeding and if the criminal case is based on the vigilance report and is pending before the court of law for which no reasons are explained explicitly, the authority competent may take a decision by taking up review of suspension and post the Government Servant in a non-sensitive place in consultation with the appropriate investigating authority / Vigilance Commission on case to case basis in view of the reason that prolonged suspension and paying subsistence allowance for a long period without extracting work is not at all acceptable. Such revocation of suspension can be made based on the facts of each case and after noticing the reason for the



WEB COPY



W.P.(MD) No.7458 of 2026

delay in serving the memorandum of charges / charge sheet. The decision of the Hon'ble High Court of Madras in P.Kannan case, given in para 5 above, shall be taken into account.

(xii) Suspension will continue to be in force unless it is revoked as mentioned under item (x) above.”

7. In the light of the above, this writ petition is disposed of directing the respondent to consider the representation dated 20.01.2026 submitted by the petitioner and review the order of suspension dated 10.12.2025, duly taking into consideration the guidelines issued by the Government under G.O.(Ms) No.81, Human Resources Management (N) Department, dated 04.08.2022, and pass appropriate orders thereon, as expeditiously as possible, at any rate, within a period of four weeks from the date of receipt of a copy of this order. No costs.

18.03.2026

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

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W.P.(MD) No.7458 of 2026

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To:
The Revenue Divisional Officer,
Paramakudi Sub-Division,
Paramakudi,
Ramanathapuram District.



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MUMMINENI SUDHEER KUMAR, J.

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