



W.P(MD)No.8536 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.03.2026

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.8536 of 2026
and
W.M.P(MD)No.6927 of 2026

J.V.Sivakumar

... Petitioner

vs.

1.The Chief Engineer / Personnel,
TNEB / TANGEDCO,
No.144, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Sivagangai Electricity Distribution Circle,
TNEB/TANGEDCO,
Maruthupandian Nagar,
Sivagangai District.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Suspension Order in Memo No.000756/056/SE/SEDC/Aado/Adm.III/A.1/F.DP.Doc/2025, dated 05.02.2025 and consequential Impugned Rejection Order in Ka. No. 00813/MeaPo/SiMibava/Siva/Nia/Nimea/NiPi3/U.1/Ko.Marai/2026



W.P(MD)No.8536 of 2026

dated 18.02.2026 passed by the 2nd Respondent and quash the same as illegal and consequently directing the Respondent No.2 to revoke the Suspension and reinstate the Petitioner in any non-sensitive Post of Junior Engineer I Grade at Sivagangai in light of the guidelines issued under chapter - II, Section 2(3) of Tamil Nadu Electricity Board Employees Discipline and Appeal Regulations and based on the G.O.Ms.No.81 (Human Resources Development) dated 04.08.2022.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.B.Ramanathan
Standing Counsel

ORDER

The present writ petition has been filed seeking the issuance of a Writ of Certiorarified Mandamus to quash the impugned Suspension Order in Memo No.000756/056/SE/SEDC/Aado/Adm.III/A. 1/F.DP.Doc/2025 dated 05.02.2025 and the consequential Rejection Order in Ka. No.00813/MeaPo/SiMibava/Siva/Nia/Nimea/NiPi3/U. 1/Ko.Marai/2026 dated 18.02.2026 passed by the second respondent, and consequently to direct the second respondent to revoke the suspension and reinstate the petitioner in any non-sensitive post of Junior Engineer



W.P(MD)No.8536 of 2026

Grade I at Sivagangai, in light of the guidelines issued under Chapter II, Section 2(3) of the Tamil Nadu Electricity Board Employees' Discipline and Appeal Regulations and based on G.O.Ms.No.81 (Human Resources Development) dated 04.08.2022.

2. Mr. B. Ramanathan, learned Standing Counsel, takes notice for the respondents.

3. By consent of both parties, the writ petition is taken up for final disposal at the stage of admission.

4. The petitioner was suspended on allegations of bribery; he was also arrested and a criminal case has been initiated against him. The petitioner was initially suspended on 05.02.2025, and more than one year has elapsed without revocation of the suspension by the respondents, hence the present writ petition has been filed.



W.P(MD)No.8536 of 2026

WEB COPY

5. The learned counsel for the petitioner relied on the guidelines issued under Chapter II, Section 2(3) of the Tamil Nadu Electricity Board Employees' Discipline and Appeal Regulations, which read as follows:

“Tamil Nadu Generation and Distribution Corporation

From

*Er. C. Visalakshi B.E., M.I.E.,
Superintending Engineer,
Sivagangai Electricity Distribution Circle,
Sivagangai.*

To

*Personnel Officer / Disciplinary Proceedings,
Establishment,
144, Anna Salai,
Chennai-600 002.*

*Lr. No. 00813 / SE / SEDC / SVGA / ADM / Br.1 / Br.2/
F.Confidential/2026, dated: 18.02.2026*

Sir.

*Subject: Administration Vigilance Commission Thiru.
J.V.Sivakumar, Junior Engineer (Electrical) Grade 1,
Ilayangudi (Arrested by Vigilance Commission on 04.02.2025
afternoon for the offense of bribery) - Court judgment -
Providing information regarding current status - Regarding*

*Reference: 1. Sivagangai V&AC, Cr.No. 01/2025. Dated:
04.02.2025.*

*2. Memo No. 000756/056/SE/SEDC/Adm/Adm.III/A.1/2025,
dated: 05.02.2025.*



W.P(MD)No.8536 of 2026

WEB COPY

3. *Letter from Vigilance Cell, Chennai-2, 2110/B.13/B, 131/2025-1, Dated: 17.03.2025. Letter No.*

4. *Order of the Madras High Court Madurai Bench W.P(MD).NO. 20376 of 2025 and W.M.P(MD) Nos. 15771 and 15773 of 2025.*

5.*Lr.No.005643/0536/SE/SEDC/SVGA/Adm/Br.1/Br.2/F.Confidential/2025, dated: 28.08.2025.*

6. *DV&AC, Chennai's No. RC.34/2025/TANGEDCO/SG, Date: 6.09.2025.*

7. *SE/SEDC/SVGA's Pro. No. 007578/0683/Ado/Adms/Adml/ A.1/F.Doc/2026, Dt. 27.01.2026.*

8. *Lr. No. 005643/0536/SE/SEDC/SVGA/Adm/Br.1/Br.2/ F.Confidential/2026, dated: 09.02.2026.*

9. *Letter No. 006147/45/G.45/G.45(2)/2026, dated: 06.02.2026.*

10. *Order of the Madras High Court Madurai Bench W.P(MD).NO. 35195 of 2025 and W.M.P(MD) Nos. 27908 and 27909 of 2025.*

Thiru. J.V. Sivakumar (Emp.ID.12086864), Junior Engineer (Electrical) Grade I (under temporary suspension from 04.02.2025 afternoon), was arrested by the Directorate of Vigilance and Anti-Corruption (DV&AC), Sivagangai, on 04.02.2025 for receiving a bribe of Rs. 1,500/- to transfer an electricity connection registered in the name of the father of Thiru. S. Ramesh, Ilayangudi, to the applicant's name. Following the receipt of the report via the letter mentioned in reference (1), he was placed under temporary suspension from the afternoon of 04.02.2025 via the memorandum mentioned



W.P(MD)No.8536 of 2026

WEB COPY

in reference (2).

The first report was received from the Vigilance Commission, Chennai, via the letter mentioned in reference (3). The aforementioned officer filed a case in the Madras High Court, Madurai Bench, under W.P(MD).NO.20376 of 2025 and W.M.P(MD).NO.15771 and 15773 of 2025, requesting to revoke the temporary suspension and reinstate him in service. The court order, directing the consideration of his application, was received by this office as mentioned in reference (4). In the judgment, it was received that the application should be considered after obtaining the opinion of the Vigilance Commission regarding the revocation of the temporary suspension and reinstatement of the officer.

Consequently, approval was sought from the Superintendent of Police, Directorate of Vigilance and Anti-Corruption, Chennai, via the letter mentioned in reference (5). Through the letter mentioned in reference (6), the Superintendent of Police, DV&AC, Chennai, informed that the decision regarding the revocation of the temporary suspension could be taken by the department itself, considering the nature of the criminal case filed against the officer. Even though the "Sanction of Prosecution has not yet been granted to the Vigilance Commission, as per the Board Order Memo. No. 064570/604/G.45/ F.452/2024. Dated.21.03.2025, the officer was informed via a letter from this office dated 20.11.2025 that the temporary suspension cannot be revoked at this time.

Furthermore, documents for the criminal case were received from the Vigilance Commission and the "Sanction for Prosecution" was sent to the Director, Directorate of Vigilance and Anti-Corruption, Chennai, via the Superintending Engineer, Sivagangai's proceedings order mentioned in reference (7). Additionally, as per reference (8), a "Model of Charge Sheet" has been sent to the Director, Directorate of Vigilance and Anti-Corruption, Chennai, seeking permission to initiate disciplinary proceedings against the officer while



W.P(MD)No.8536 of 2026

WEB COPY

he is under temporary suspension.

In this situation, a letter was received from the Personnel Officer, Anna Salai, Chennai, via reference (9), to take action on the petition of the officer under temporary suspension. Furthermore, through the letter mentioned in reference (10), the court order for the case filed by the officer in the Madras High Court, Madurai Bench, under W.P(MD).NO. 35195 of 2025 and W.M.P(MD) Nos. 27908 and 27909 of 2025, seeking once again to reconsider the application to revoke the temporary suspension, was received by this office. The judgment dated 09. 12.2025 in the said case has been received by this office, and a copy of it is attached herewith. In that case, the Deputy Superintendent of Police, DV&AC, Sivagangai, has also been added as an opposing party. It is hereby submitted that upon receipt of the "Vetting Charge Memo" (corrected disciplinary charge sheet) from the Director, Directorate of Vigilance and Anti-Corruption, Chennai, the formal "Charge Sheet will be issued, after which further action regarding the revocation of the suspension of the officer will be taken.

Enclosure: Copy of the judgment mentioned in reference (10).

*(Signed)
Superintending*

*Engineer,

Sivagangai.*

SEDC,

*Copy to: Thiru. J.V. Sivakumar, Junior Engineer (Electrical)
Grade I (Under temporary suspension since 04.02.2025
afternoon).*

By Way: Executive Engineer/ Distribution/ Manamadurai

*Copy to: Deputy Secretary (Vigilance) Vigilance Department,
144, Anna Salai Chennai for information.*



W.P(MD)No.8536 of 2026

WEB COPY

Copy to: Directorate, Prevention of Corruption and vigilance Department, Alandhur Chennai-16.

(Attachment: Copy of the judgment found in Paragraph (10))

Copy to: Deputy Superintendent of Police, Anti Corruption and Vigilance Department, Sivagangai for information.

(Attachment: Copy of the Judgment found in Paragraph 10)”

6. Even the rules state that the higher authority ought to have revoked the suspension after reviewing the order. However, even though more than one year has elapsed, the respondent has not reviewed the suspension. Therefore, the petitioner seeks a review based on the said regulation. The petitioner has also relied on the order passed in W.P. (MD) No. 6216 of 2026.

7. The learned Judge has referred to the said regulation and passed an order as under:-

“7. From the perusal of the above, it is evident that there is an obligation on the respondent Board to review the suspension periodically. While the officials of the respondent Board are required to review the suspension, in this case, it has admittedly not been done.



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8. *Further, the learned counsel for the petitioner placed reliance on the decision of the Hon'ble Supreme Court of India in Civil Appeal No.10856 of 2016, in the case of Bhupinder Singh V. Unitech Ltd., & others, dated 23.01.2025. The relevant paragraph is extracted hereunder:-*

“12. There can hardly be any dispute that on expiry of six months period of suspension, ordinarily a Government official would become entitled to subsistence allowance at the rate of 75% of the pay, save and except when such subsistence allowance has to be denied for some valid reasons. We, thus, proceed on a premise that most of the suspended officers/officials are not receiving 75% pay without having to perform any work. Additionally, considering charge sheets have been issued very recently in October, 2024, we can safely infer that the conclusion of the departmental proceedings will take some reasonable time. Similarly, the criminal proceedings pending against the suspended officials, are also not likely to reach to a logical conclusion within a short time.”

9. *In the light of the above and taking into consideration the submissions made by Mr.B.Ramanathan,*



W.P(MD)No.8536 of 2026

learned Standing Counsel, the writ petition is disposed of with a directing to the first respondent to review suspension order dated 19.09.2025, placing the petitioner under suspension, in accordance with sub-regulation (3) of Regulation 2, and to pass appropriate orders thereon as expeditiously as possible, at any rate, within a period of six weeks from date of receipt of a copy of this order.”

8. Therefore, the second respondent who is the appropriate authority is directed to review the suspension. The second respondent is directed to obtain a report from the Vigilance Authority and thereafter consider and pass orders within a period of eight weeks from the date of receipt of a copy of this order. The learned counsel for the petitioner submitted that a report has already been obtained from the Vigilance Authority as early as 26.09.2025, wherein it is stated that the petitioner's case may be considered on its own merits. The respondents shall rely on the said recommendation of the Vigilance Authority. If necessary, the respondent may obtain a fresh report from the Vigilance Authority if required.



W.P(MD)No.8536 of 2026

WEB COPY

9. In view of the above observations, the writ petition is allowed and the impugned order is set aside. The respondents shall consider and pass orders within a period of 12 weeks from the date of receipt of the copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

30.03.2026

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

To

1. The Chief Engineer / Personnel,
TNEB / TANGEDCO,
No.144, Anna Salai,
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2. The Superintending Engineer,
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TNEB/TANGEDCO,
Maruthupandian Nagar,
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W.P(MD)No.8536 of 2026

S.SRIMATHY, J.

am

**ORDER MADE IN
W.P(MD)No.8536 of 2026**

DATED :30.03.2026