



W.P.(MD) No.14990 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.14990 of 2026

and

W.M.P.(MD) No.11274 of 2026

K.R.Soundravalli

... Petitioner

-vs-

- 1.The State of Tamil Nadu
rep.by its Principal Secretary
to Government
Revenue and Disaster
Management Department
Secretariat, Chennai-9
- 2.The Additional Chief Secretary /
Commissioner of Revenue Administration
O/o.The Additional Chief Secretary /
Commissioner of Revenue Administration
Ezhilagam, Chepauk, Chennai
- 3.The District Collector
Karur District, Karur
- 4.The Deputy Superintendent of Police
Vigilance and Anti-Corruption
Karur District, Karur



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5.The Thasildar
Kadavur Taluk
Karur District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the third respondent to revoke the order passed by him vide his proceedings in Rc.A2/13040/2025, dated 24.07.2025 by considering the petitioner representation dated 26.05.2026 within the period that may be stipulated by this Court.

For Petitioner : Mr.K.Althaf Sheriff
for M/s.Ajmal Associates

For Respondents : Mr.K.K.Udayakumar
Counsel for the Government

ORDER

Mr.K.K.Udayakumar, learned counsel for the Government, takes notice for the respondents.

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



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3. Heard the learned counsel for the petitioner and the learned counsel for the Government appearing for the respondents.

4. This writ petition has been filed for a mandamus directing the third respondent to revoke the proceedings bearing Rc.A2/13040/2025, dated 24.07.2025, issued by him, whereby the petitioner was placed under suspension consequent upon his involvement in a vigilance and anti-corruption case and his arrest therein.

5. Though the petitioner was placed under suspension as early as on 24.07.2025, as on date no disciplinary proceedings have been initiated nor there is any progress in the vigilance and anti-corruption case that was registered against the petitioner. Under those circumstances, the petitioner claims to have submitted a representation dated 26.05.2026 to the respondents requesting them to revoke the said suspension order. But, the same has not been considered by the respondents as on date. Hence, the petitioner has approached this Court by filing the present writ petition seeking the relief as noted above.



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6. Prolonged suspension is unwarranted and it is deprecated by the Honourable Apex Court as well as this Court time and again. Taking the law of the land into consideration, the Government has also issued orders in G.O.(Ms) No.81, Human Resources Management (N) Department, dated 04.08.2022, laying down certain guidelines to avoid prolonged suspension. Paragraph No.11 of the said Government Order reads as under:

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 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.



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(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 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



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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.

(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



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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.

(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.



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(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 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."



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7. In terms of the above guidelines, it is not open for the respondents to continue the delinquent employee under suspension for a prolonged period. In the instant case also, there is no likelihood of conclusion of the vigilance and anti-corruption case in the near future. Continuation of the petitioner under suspension will definitely cause loss to the State Exchequer and the same cannot be said to be in public interest. These are all the matters that are to be looked into by the competent authority, who have placed the petitioner under suspension duly taking into consideration the guidelines laid down under the Government Order referred to above. As a matter of fact, there is an obligation cast upon the competent authority to review the suspension upon the expiry of the three months suspension period and to take a conscious decision as to whether to continue the suspension or to reinstate the delinquent employee in the same post or in any other non-sensitive post. The same is lacking in the instant case. Therefore, this Court is of the considered view that it is a fit case, where a direction should be issued to the third respondent to review the order of suspension.

8. Accordingly, this writ petition is disposed of directing the third respondent to forthwith review the order of suspension dated 24.07.2025 duly taking into consideration the guidelines laid down by the Government under



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G.O.(Ms) No.81, Human Resources Management (N) Department, dated 04.08.2022 and pass appropriate orders, 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. Consequently, connected miscellaneous petition is closed.

05.06.2026

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

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To:

- 1.The Principal Secretary
to Government,
Revenue and Disaster
Management Department,
State of Tamil Nadu,
Secretariat, Chennai-9.
- 2.The Additional Chief Secretary /
Commissioner of Revenue Administration,
O/o.The Additional Chief Secretary /
Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai.
- 3.The District Collector,
Karur District, Karur.
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MUMMINENI SUDHEER KUMAR, J.

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