



W.A(MD)No.411 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2026

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A(MD)No.411 of 2026
and
C.M.P(MD)No.3754 of 2026**

The Managing Director,
Tamil Nadu Housing Board,
CMDA Complex,
E & C Market Road,
Koyambedu,
Chennai – 600 107.

... Appellant/Respondent

vs.

S.Pandiaraj

... Respondent/Writ Petitioner

PRAYER : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 30.04.2025 made in W.P(MD)No.13375 of 2025 on the file of this Court.

For Appellant : Mr.A.Kannan

For Respondent : Mr.R.Ramasamy



W.A(MD)No.411 of 2026

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JUDGMENT

[Judgment of the Court was made by N.SATHISH KUMAR, J.)

Challenging the order of the learned Single Judge in W.P(MD) No.13375 of 2025 dated 30.04.2025, whereby the rejection order passed by the appellant was set aside and the authorities were directed to revoke the suspension of the writ petitioner and to post him in a non-sensitive position within a period of three months, the present Writ Appeal has been filed by the respondent therein, as appellant.

2.The respondent/writ petitioner, while serving as an Executive Engineer, was placed under suspension by proceedings dated 02.02.2024, pursuant to the registration of a criminal case in Crime No.3 of 2024 for the offence under Section 7(a) of the Prevention of Corruption Act, 2018. The respondent submitted a representation dated 05.07.2024 to the appellant seeking revocation of the suspension order. As no orders were passed on the said representation, the respondent filed a Writ Petition in



W.A(MD)No.411 of 2026

WEB COPY

W.P(MD)No.19143 of 2024. By order dated 14.08.2024, the learned Single Judge of this Court directed the respondent therein to consider the representation of the writ petitioner. Pursuant to the said direction, an order dated 18.09.2024 came to be passed rejecting the request. Aggrieved by the same, the Writ Petition was filed.

3.The learned Single Judge, taking into consideration that prolonged suspension would serve no useful purpose and would, in fact, burden the public exchequer by necessitating continuous payment of subsistence allowance, allowed the Writ Petition.

4.Admittedly, the writ petitioner was arrested for an offence under Section 7(a) of the Prevention of Corruption Act, 2018, and no domestic enquiry has been initiated. According to the appellant, the domestic enquiry would be commenced only after the conclusion of the criminal proceedings.



W.A(MD)No.411 of 2026

WEB COPY

5.In such circumstances, we are of the view that the criminal proceedings are likely to take considerable time. Therefore, keeping the employee under prolonged suspension and paying subsistence allowance without extracting any work would result in an unnecessary drain on public funds. We find no merit in the Writ Appeal. The learned Single Judge has rightly considered the issue and appropriately directed the appellant to post the writ petitioner in a non-sensitive post. The appellant is, therefore, directed to comply with the said direction as expeditiously as possible.

6.Accordingly, the Writ Appeal stands dismissed. No costs.
Consequently, the connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
24.03.2026

NCC : Yes / No
Index : Yes / No
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W.A(MD)No.411 of 2026

WEB COPY

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WEB COPY



W.A(MD)No.411 of 2026

N.SATHISH KUMAR,J.
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ps

ORDER MADE IN
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