



WP Nos. 22648 and 22926 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WP Nos. 22648 and 22926 of 2025 AND

WMP Nos. 25493 and 25757 OF 2025

WP No.22648 of 2025

G.A.Kuppuraj
S/o S.P. Ayyasamy No 51/f Chellammal Nagar
Gobichettipalayam, Erode 638 452

..Petitioner

Vs

1. The Registrar General
Madras High Court Chennai 600104.
2. The Principal District Judge
District Court, Erode, Erode District
3. The Sessions Judge
Magalir Neethi Mandram Fast Track Mahila
Court Erode 638 011

..Respondents

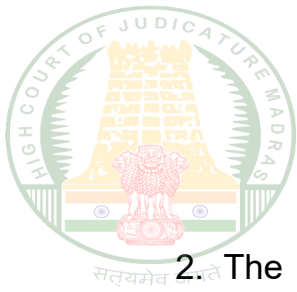
WP No. 22926 of 2025

S.Kalyanasundaram
S/o.Subramaniam, D.No.49, Avaiyar Street,
Sivagiri (po) Erode Taluk, Erode-638 109.

..Petitioner(s)

Vs

1. The Registrar General
Madras High Court, Chennai-600 104.



WP Nos. 22648 and 22926 of 2025

2. The Principal District Judge,
The District Court Erode, Erode District.

3. The Sessions Judge,
Magalir Neethi Mandram, Fast Track Mahila
Court, Erode-638 011

..Respondents

Prayer in WP No.22648 of 2026 : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the entire records connected with the impugned order passed by the 3rd respondent in D. No 492 / 2025 dated 28.04.2025 and quash the same and consequently, direct the respondents to refund a sum of Rs 2,06,208/- with accrued interest, remaining in Fixed Deposit bearing Account No 41922463218 in te name of the 3rd respondent in the State bank of India, Gobichettipalayam Branch (0839) with in the time frame fixed by this Court.

Prayer in WP No. 22926 of 2025 : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the entire records connected with the impugned order passed by the 3rd respondent in D.No.1918/2025 dated 21.05.2025 and quash the same and consequently direct the respondents to refund the sum of Rs.4,36,063/- (Rs.4,34,463/- and Rs.1,600/-) remaining in Fixed deposit bearing account No.1296401000013563 in the name of the 3rd respondent in the Karur Vysya Bank, Sivagiri Branch, Erode, with in the time frame fixed by this Court.

For Petitioner(s):

Mr.S.Sathia Chandran,
for Mr.C.Rajaguru



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For Respondent(s):

Mr.R.Sunil Kumar for Respondents 1 to 3
in W.P.No.22648 of 2025

Ms.B.Poongkhulali for respondents 1 to 3 in
W.P.No.22926 of 2025

Order

(Order of the Court was made by S.M.Subramaniam J.)

These writ petitions have been instituted challenging refixation and recovery. Both the writ petitioners voluntarily retired from service. At the time of allowing them to retire from service, orders of recovery came to be issued based on the audit objections raised by the internal audit wing of the High Court.

2. Learned counsel for the respondents would submit that excess salary has been paid due to wrong refixation of pay from the year 2010 to 2021 and 2011 to 2021 respectively. Therefore, the competent authority ordered for recovery of excess salary paid to these employees from 2010 and 2011 respectively.

3. Learned counsel for the writ petitioners would submit that there was no misrepresentation on the part of the petitioners. The respondents are unable to establish that there was misrepresentation. Thus, the recovery of



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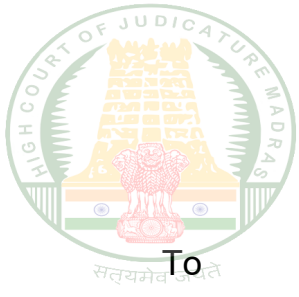
excess pay from the retiring employees would result in hardship. However, refixation is to be done strictly in accordance with the Pay Rules and the Government Orders in force. This Court is not inclined to interfere with the refixation of pay which is done in accordance with law. It is stated that the excess salary as per the recovery order has already been deposited in bank.

4. In view of the above facts and circumstances, the refixation of pay done by the respondents stands confirmed. However, the recovery of salary alone is set aside and the amounts already recovered and deposited in the banks are directed to be refunded to the petitioners along with interest if any accrued. The writ petitions are partly allowed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (N.S.,J.)
13-07-2026

Index: Yes
Speaking order
Neutral Citation: Yes/No

KST



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**S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.**

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