



WEB COPY



WA No. 1899 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

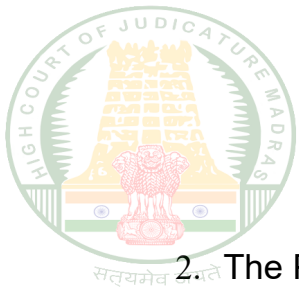
**WA No. 1899 of 2026 AND
CMP NO. 16919 OF 2026**

1. The State of Tamil Nadu
Rep By Its Additional Chief Secretary
To The Government Home (Police)
Department, Fort St.George,
Chennai-600 009.
2. The Director General of Police (L and O)
(Head Of Police Force),
Office Of The Director General Of
Police, Mylapore, Chennai-600 004
3. The Commissioner of Police
Chennai City, Vepery, Chennai-7
4. The joint Commissioner of Police
Traffic Zone (South),
Chennai.

..Appellants

Vs

1. P. Mani
S/O.Pakkirisamy,
Sub Inspector Of Police (Retired)
S.I.No.9673, No.1/62, South Street,
Suriyanar Kovil, Thirumangalakudi
Post, Thiruvudaimaruthur Taluk,
Tanjore-612 102.



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2. The Principal Accountant General (A and E)
Tamil Nadu, Teynampet
Chennai 18

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 24.03.2025 made in WP No.6421/2025 and allow this Writ Appeal.

For Appellant(s): Dr.R.Gouri, Government Counsel

For Respondent(s): Mr.V.Lakshminarayanan for R1

Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

State preferred the present appeal challenging the order dated 24.03.2025 passed in W.P.No.6421 of 2025.

2. With the consent of both parties, the writ appeal is taken up for final hearing.

3. An order of refixation of pay and consequential recovery order was issued based on the audit objections. The first respondent / writ petitioner challenged the said refixation of pay and recovery. The Writ Court considered the issues and taking note of the fact that there was misrepresentation on the



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part of the respondent / employee regarding refixation, held that it has to be confirmed and the scale of pay as applicable to the respondent has to be paid in accordance with the pay rules and the government orders. While confirming the refixation, the writ court directed to refund the excess salary already recovered from the respondent in view of the principles laid down by the Hon'ble Supreme Court in the case of **State of Punjab v. Rafiq Masih (2015) 4 SCC 334**. However, the Writ Court has ordered refund of excess salary along with interest at 6% per annum till the date of repayment.

4. We find no infirmity in the writ order impugned except for the interest portion. Thus, the portion of the writ order impugned dated 24.03.2025 made in W.P.No.6421 of 2025 directing the State to pay interest at 6% per annum alone is set aside and the refixation of pay is confirmed. The writ appeal is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (N.S.,J.)
15-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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

KST

To

The Principal Accountant General (A and E)
Tamil Nadu, Teynampet, Chennai 18

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