



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 2072 of 2026

and

C.M.P.No.17989 of 2026

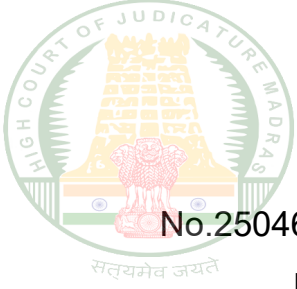
1. The State of Tamil Nadu
Represented By Its Additional Chief Secretary
To The Government
Home (Police) Department,
Fort St. George,
Chennai 600 009
2. The Director General of Police (L and O)
(Head Of Police Force)
Office Fo The Director General Of Police,
Mylapore, Chennai 600 004
3. The Commissioner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

..Appellant(s)

Vs

1. V Kumar
S/o. Velu Nayakar
Sub Inspector Of Police (Retired)
S.I. No 10062
No 153, 2nd Street,
Ponnuvel Pillar Thootham
Aminjakarai,
Chennai 29
2. The Principal Accountant General (A and E)
Tamil Nadu,
Teynampet Chennai

..Respondent(s)



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To set aside the order dated 10.07.2025 made in WP No.25046/2025 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.)

The Writ Appeal has been filed by the State challenging the order passed in W.P.No.25046 of 2025, in which, the writ Court has set aside the order of recovery and confirmed the re-fixation of pay.

2. The writ petitioner is the 1st respondent herein. The 1st respondent filed the writ petition challenging the order of the Additional Commissioner of Police, Traffic, Chennai, refixing his pay and consequently, restore his pay and refix his last drawn pay and also to refix his pension and arrears of pension and to repay the recovered amount of Rs.2,10,845/-. The Writ Court, citing the legal principles laid down in the case of ***State of Punjab v. Rafiq Masih***¹ reported in **(2015) 4 SCC 334**, has set aside the order of recovery and confirmed the refixation of pay.

3. This Court, in similar circumstances, citing the aforesaid decision of Hon'ble Supreme Court, passed orders, confirming the refixation of pay and setting aside the order of recovery alone. Thus, we find no infirmity in the

¹2015 4 SCC 334



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order passed by the writ Court. Accordingly, the order passed by the writ Court is confirmed. However, the excess amount, if any, recovered on account of refixation of pay to the 1st respondent, is directed to be re-paid by the appellants within a period of 12 weeks from the date of receipt of a copy of this order.

4. Accordingly, the Writ Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

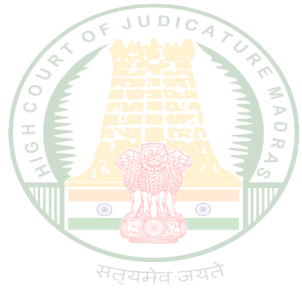
(S.M.S.,J.) (N.S.,J.)
23-07-2026

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

VSI

To

1. V Kumar
S/o. Velu Nayakar
Sub Inspector Of Police (Retired)
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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

vsi

WA No. 2072 of 2026

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