



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2018

CORAM:

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

WEB COPY

W.P. (MD) No.18104 of 2017

and

W.M.P. (MD) . Nos.14565 and 15594 of 2017

P.Palaniandavar

.. Petitioner

Vs.

1.The Regional Joint Director  
of Treasuries & Accounts,  
Collectorate Complex,  
Madurai.

2.The Assistant Treasury Officer,  
Treasuries and Accounts Department,  
Usilampatti, Madurai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in Na.Ka.No.233/2017/A1, dated 24.08.2017 on the file of the second respondent and quash the same as illegal.

For petitioner

: Mr.S.Rajasekar

for Mr. T.Lajapathi Roy

For respondents

: Mr.J.Gunaseelan Muthiah

Additional Government Pleader

O R D E R

\*\*\*\*\*

Heard the learned counsel on either side.

2. The writ petitioner is a pensioner. He was working as a Secondary Grade Teacher. He retired from service on 31.05.2003. The writ petitioner's basic pay fixed for pension was downgraded from Rs.10,325/- to Rs.8,336/-.

3. The impugned order states that the revision will come into effect from August, 2017 and that if the writ petitioner has any grievance he can lodge an appeal before the second respondent himself.



4. This Court is of the considered view that before effecting such downgrading, the second respondent ought to have put a writ petitioner on notice. In this case there is nothing on record to show that the writ petitioner was ever given a show cause notice. Therefore on the ground of violation of principles of natural justice, the impugned proceedings dated 24.08.2017 stand quashed. The second respondent will be at liberty to proceed afresh in the matter only after giving due notice to the writ petitioner. The second respondent is also directed to credit the recovered amount in the writ petitioner's account.

5. This Writ petition is allowed accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To:

1.The Regional Joint Director  
of Treasuries & Accounts,  
Collectorate Complex,  
Madurai.

2.The Assistant Treasury Officer,  
Treasuries and Accounts Department,  
Usilampatti, Madurai District.

+One cc to Mr.T.Lajapathi Roy, Advocate, SR.No.44445

+One cc to The Special Government Pleader, SR.No.44769

kmi

RL/5C/2P/JC/SAR1/21/2/2018

ORDER MADE IN  
W.P. (MD) No.18104 of 2017