



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.21137 of 2024
and
W.M.P(MD)No.17898 of 2024

R.Renganayaki

... Petitioner

Vs

The Child Development Project Officer,
Child Development Project Office,
Srivilliputhur Block,
Manjapoo Street, Srivilliputhur,
Virudhunagar District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records of the respondent in his proceedings in Se.Mu.Na.Ka.No.451/2022, dated 21.06.2024 and quash the same and consequently forbearing the respondents from in any manner recovering the amount of Rs.35,667/- mentioned in the impugned order from the petitioner.

For Petitioner : Mr.G.R.Satish

For Respondent : Mr.S.Shaji Bino
Special Government Pleader



ORDER

The instant writ petition has been filed by a retired Supervisor Grade-I, who was working in the respondent office, challenging an order of recovery, dated 21.06.2024 on the ground that excess surrender leave salary has been paid to the writ petitioner.

2.From the typed set of papers, it could be seen that the petitioner has retired from service on 30.04.2017 and the impugned order has been passed on 21.06.2024 to recover a sum of Rs.35,667/- without issuing any notice to the writ petitioner. This order is clearly in violation of the principle of natural justice.

3.In view of the above said facts, the order impugned in the writ petition is hereby set aside and the matter is remitted back to the respondent herein and the respondent herein is directed to issue a show cause notice to the writ petitioner and consider the explanation to be submitted by the writ petitioner, before final order is passed.



4. With the above said observations, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is also closed.

18.10.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

The Child Development Project Officer,
Child Development Project Office,
Srivilliputhur Block,
Manjapoo Street, Srivilliputhur,
Virudhunagar District.



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R.VIJAYAKUMAR, J.

RJR

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