



W.P.No.2434 of 2025

WEB CO

R.SUBRAMANIAN, J.

AND

G.ARUL MURUGAN, J.

It is brought to our notice that the 5th respondent has been mistakenly described as District Treasury Officer, Dharmapuri in the grounds of appeal and the same is carried out in the order. It is now stated that the proper Officer is District Treasury Officer, Krishnagiri and not Dharmapuri.

2. The learned counsel is permitted to correct the description of the 5th respondent as District Treasury Officer, Krishnagiri in the grounds of appeal and the Registry is directed to carryout the said correction in the order dated 17.02.2025 describing the 5th respondent as The District Treasury Officer, Krishnagiri instead of The District Treasury Officer, Dharmapuri.

3. The Registry is also directed to issue the amended order copy.

(R.S.M., J.) (G.A.M., J.)
19.03.2025

dsa



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R.SUBRAMANIAN, J.
AND
G.ARUL MURUGAN, J.

dsa

W.P.No.2434 of 2025

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THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No. 2434 of 2025

L.Manjula

...Petitioner

Vs.

1.The Registrar General,
High Court of Madras,
High Court Campus,
Chennai - 600104.

2.The Principal Secretary to Government,
Home (Court V) Department,
Fort. Saint George, Chennai - 9.

3.The Principal District Judge,
Krishnagiri.

4.The Principal Accountant General (A and E),
AG's Office (Audit) Complex,
Anna Salai, Roast Revor Garden,
Teynampet, Chennai - 600 018.

5.The District Treasury Officer,
Dharmapuri.

6.The District Munsif,
Krishnagiri.

...Respondents



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Prayer: Writ Petition filed under 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the 6th respondent in connection with the proceedings of D.No. 202/2023, dated 15.05.2023 and quash the same and direct the respondents to return the amount that had been recovered from the petitioner.

For Petitioner : Mr.A.Sakthivel

For Respondents : Mr.C.R.Malarvannan for RR1, 3 & 6
Mr.P.Aanda Kumar,
Government Advocate for RR2, 4 & 5

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

Challenge is to the order of the learned District Munsif, Krishnagiri, re-fixing the salary of the petitioner on the ground that her pay was fixed wrongly for the period between 12.05.2003 and 30.06.2022.

2. By the impugned proceedings, the learned District Munsif, Krishnagiri has, after re-fixing the pay, directed recovery from the retirement benefits of the petitioner. The issue is squarely covered by the judgment of the Hon'ble Supreme Court in *State of Punjab and Others Vs. Rafiq Masih (White Washer's case)* reported in *AIR 2015 SC 696* as well as the judgment



of this Court in *P.Ponnusamy Vs. The Registrar General, High Court of Madras* made in *W.P.No.8952 etc., batch of 2023* dated *04.03.2024*.

3. Hence, this Writ Petition will stand **allowed in part**, the order of recovery will stand set aside, since the petitioner has already retired and the re-fixation is sustained. The pension of the petitioner will be re-worked as per the re-fixation done. If any recovery had been made, the amount recovered alone shall be repaid to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

(R.S.M., J.) (G.A.M., J.)
17.02.2025

dsa

Index : No

Neutral Citation : No

Speaking order

To:



WEB COPY

1. The Registrar General,
High Court of Madras,
High Court Campus,
Chennai - 600104.

2. The Principal Secretary to Government,
Home (Court V) Department,
Fort. Saint George, Chennai - 9.

3. The Principal District Judge,
Krishnagiri.

4. The Principal Accountant General (A and E),
AG's Office (Audit) Complex,
Anna Salai, Roast Revor Garden,
Teynampet, Chennai - 600 018.

5. The District Treasury Officer,
Dharmapuri.

6. The District Munsif,
Krishnagiri.

R.SUBRAMANIAN, J.
and
G.ARUL MURUGAN, J.



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W.P.No. 2434 of 2025

17.02.2025