



WEB COPY

W.P.No.2444 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **K. SURENDER**

Writ Petition No. 2444 of 2025

1.A.Noorjahan
2.M.S.Afilaa Iffath

.. Petitioners

Vs.

1.The Registrar General,
High Court of Judicature at Madras,
High Court Buildings,
Chennai – 600 104.

2.The Principal District Judge,
Vellore.

3.The Principal District Judge,
Ranipet.

4.The II Additional District Judge,
Ranipet.

5.The Principal Accountant General,
(Accounts and Entitlement) Tamil Nadu,
No.361, Anna Salai, Teynampet,
Chennai.

... Respondents



WEB COPY

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the impugned order passed by the 2nd respondent in Dis.No.715/2023, dated 24.01.2023, re-fixing the scale of pay and recovering the excess amount and the consequential impugned order passed by the 3rd respondent in Dis.No.2252/2024, dated 10.09.2024, effecting the recovery from the DCRG Benefit and thereby quash the same and consequently direct the respondents to i) refund the excess of Rs.14,08,256/- (Rupees Fourteen Lakhs Eight Thousand and Two Hundred and Fifty Six), deducted from the DCRG benefit of 1st petitioner's Husband, that too after his demise, along with 12% interest; ii) revise and re-fix the scale of the 1st petitioner Husband's by restoring his old scale of pay; iii) sanction and disburse statutory interest on the belated payment of the Terminal Benefits, within a time frame fixed by the Court.

For Petitioners : Mr.S.N.Ravichandran

For Respondents : Mr.P.Kannan Kumar for R1 to R4
Mr.P.Mano Rajan for R5



WEB COPY

W.P.No.2444 of 2



ORDER

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

The husband of the 1st petitioner is admittedly a Group - C employee. He died in harness. Challenge is to the order of re-fixation and recovery passed by the learned Principal District Judge, Vellore dated 24.01.2023 and consequential recovery of the amount from DCRG payable to the deceased employee.

2. Mr.S.N.Ravichandran, learned counsel appearing for the petitioners would submit that he restricts the challenge only to recovery orders. As already indicated since the petitioner is a group C employee recovery cannot be effected in terms of 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*.

3. Hence, this Writ Petition is **partly allowed**. The order of recovery alone are quashed, the re-fixation is sustained and the recovery of a sum of Rs.3,91,784/- towards due to the Vellore and Thiruvannamalai District Court Employees Co-operative Thrift and Credit Society is also sustained.



Any amount recovered from the DCRG of the husband of the 1st petitioner shall be refunded to the petitioners within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

WEB COPY

(R.SUBRAMANIAN, J.) (K. SURENDER, J.)
11.07.2025

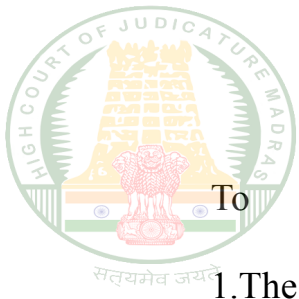
dsa

Index : No

Internet : Yes

Neutral Citation : No

Speaking order



To

WEB COPY

- 1.The Registrar General,
High Court of Judicature at Madras,
High Court Buildings,
Chennai – 600 104.
- 2.The Principal District Judge,
Vellore.
- 3.The Principal District Judge,
Ranipet.
- 4.The II Additional District Judge,
Ranipet.
- 5.The Principal Accountant General,
(Accounts and Entitlement) Tamil Nadu,
No.361, Anna Salai, Teynampet,
Chennai.



WEB COPY



W.P.No.2444 of 2

R.SUBRAMANIAN, J.
and
K. SURENDER, J.

dsa

Writ Petition No. 2444 of 2025

11.07.2025