



WEB COPY



W.P.No.5286 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.5286 of 2024
and
WMP.No.5807 of 2024

Dr.B.Vijayan

... Petitioner

Vs.

1.The Principal Accountant General,
AG's Office Complex,
361, Anna Salai,
Teynampet, Chennai-600 018.

2.The Director of Animal Husbandry & Veterinary Services,
Nandanam, Chennai-600 035.

3.The District Treasury Officer,
District Collector Office,
Coimbatore District.

4.The Assistant Treasury Officer,
Taluk Office Compound,
Pollachi-642 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings passed by the fourth respondent in Na.Ka.No.987/A1/2023 dated 11.09.2023 and quash the same and consequently, direct the third and fourth respondents to send necessary revised pension proposal to the first respondent for authorizing pension and

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on the authorization of the first respondent, the third and fourth respondents to make payment of admissible revised pension to the petitioner herein as per G.O.Ms No.421, Finance (Pay Cell) Department, dated 12.11.2020.

For Petitioners : Mr.I.Arokiasamy
For Respondent-1 : Mrs.Hema Muralikrishnan,
Standing counsel
For Respondent : Mr.S.Balamurugan, GA
Nos.2 to 4

ORDER

The proceedings of the fourth respondent in Na.Ka.No.987/A1/2023 dated 11.09.2023, is put under challenge in the present Writ Petition. Further, the petitioner has sought for a direction to the third and fourth respondents to send necessary revised pension proposal to the first respondent for authorizing pension and on the authorization of the first respondent, the third and fourth respondents to make payment of admissible revised pension to him as per G.O.Ms No.421, Finance (Pay Cell) Department, dated 12.11.2020.

2. Heard the learned counsels on either side.

3. The brief facts of the case is as follows:

3.1. The petitioner is a retired Deputy Director of Animal Husbandry and Veterinary Services Department, Coimbatore. After retirement, he



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approached the Regional Joint Director for revision of his pension as per G.O.Ms. No.313, Finance (Pay Cell) Department dated 25.10.2017 and G.O.Ms No.421 dated 12.11.2020, as to the effect that the revision of pension came into effect from 01.01.2016 notionally and with monetary effect from 01.10.2017. However, no order was passed. Due to which, the petitioner filed a writ petition in W.P.No.19943 of 2022 and this Court, by its order dated 05.07.2022, had directed the third respondent herein to consider the proposal sent by the Regional Joint Director of Animal Husbandry, Coimbatore, within a period of one month. Pursuant to which, the present impugned order has been passed instead of paying revised pension, ordered for recovery of excess amount by deducting the pension of the petitioner, as if excess payment was made.

4. Aggrieved by the same, the present Writ Petition has been filed.

5. The learned counsel for the petitioner submitted that the recovery cannot be deducted from the petitioner's pension without issuing any show cause notice. He also contended that the respondents in the impugned order has sought for petitioner's opinion i.e., his objection or consent, in regard to the excess amount allegedly received by him, which is impermissible. He further submitted that this Court may issue a direction to restrain the



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respondents not to recover the excess amount from the pension of the petitioner and permit the petitioner to give a considerable explanation before the first respondent as against the order passed by the fourth respondent. He added that the first respondent may be directed to pass appropriate orders by considering the representation of the petitioner dated 21.12.2023. Thus, the learned counsel prayed for passing of appropriate orders.

6. Per contra, the learned Government Advocate submitted that the impugned order has been passed by the respondent with the necessary pension payment details and hence, the same warrants no interference. Accordingly, he prayed for dismissal of the Writ Petition.

7. This Court had considered the submissions made on either side and also perused the records available on record.

8. Considering the facts and circumstances of the case and also taking note of the submissions of the learned counsel for the petitioner, this Court directs the first respondent to consider the petitioner's representation and to state that whether the petitioner is entitled for revision of pension as per G.O.No.313 dated 25.10.2017 or any excess payment was made to the petitioner, within a period of 12 weeks from the date of receipt of a copy of



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this order. Further, the fourth respondent is directed to forward the entire files of the petitioner to the first respondent so as to enable him to consider the petitioner's explanation for excess payment or to arrive at a decision as to whether he is entitled for the revised pension. Till such time, the respondents are directed not to recover any amount from the petitioner's pension.

9. With the above directions, the Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no orders as to costs.

12.12.2025

DP

Index: Yes/No

NCC : Yes/No

Order : Speaking / Non Speaking



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