

WEB COPY



W.P.No.7838 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.7838 of 2025

and

W.M.P.No.8810 of 2025

P.Dineshkumar

... Petitioner

Vs.

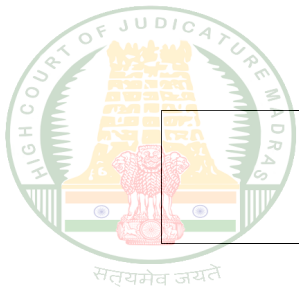
1.The Registrar General,
High Court of Madras,
Chennai-600 104.

2.The District Principal Judge,
Tiruvannamali District,
Tiruvannamalai - 606 601.

3.The District Munsif Judge,
Polur - 606 803.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling the records pertaining to the order of the 3rd respondent which is made in Dis.No.51/25 dated 21.02.2025 signed dated 28.01.2025 and quash the same consequently direct the respondents not to make any recovery from the pay of the petitioner and also to refund the amount recovered if any to the petitioner.



W.P.No.7838 of 2023

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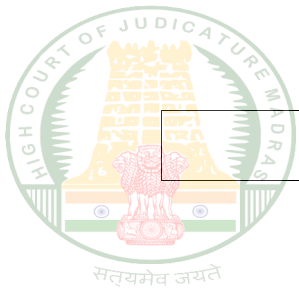
For Petitioner : Mr.R.Malaichamy
For Respondents : Mr.M.Palanimuthu, Standing Counsel

ORDER

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

Mr.M.Palanimuthu, learned Standing Counsel appears for the respondents.

2. The order under challenge is one for recovery made on the ground that there was a wrong fixation of salary of the petitioner. Admittedly the petitioner is Group C employee. The issue of recovery is 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***. In view of the said judgment of the Hon'ble Supreme Court, which makes it clear that excess amount paid due to wrong fixation of salary, which cannot be attributed to the employee, shall not be recovered.



W.P.No.7838 of 2025

WEB COPY 3. Hence, the re-fixation is sustained, but, the recovery order alone is set aside. This Writ Petition is **disposed of** on above terms. No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M.,J.) (G.A.M.,J.)
10.03.2025

dsa

Index : No

Neutral Citation : No

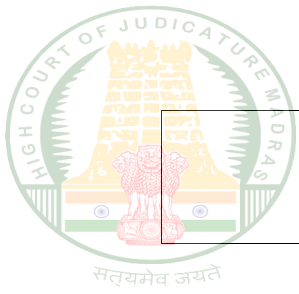
Speaking order

To

1.The Registrar General,
High Court of Madras,
Chennai-600 104.

2.The District Principal Judge,
Tiruvannamali District,
Tiruvannamalai - 606 601.

3.The District Munsif Judge,
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WEB COPY



W.P.No.7838 of 2025

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

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W.P.No.7838 of 2025

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