

W.P.No.10655 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

**W.P.No.10655 of 2025**

**and**

**W.M.P.No.12005 of 2025**

E.Sivakamasundari

... Petitioner

Vs.

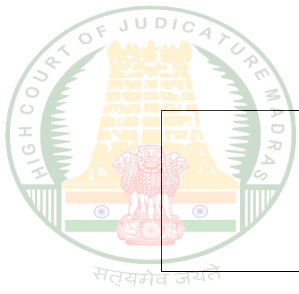
1.The Registrar General,  
High Court Madras,  
Chennai - 600 104.

2.The District Judge,  
Nagapattinam - 611 001.

3.The Sessions Judge,  
Fast Track Mahila Court,  
Nagapattinam - 611 001.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 3rd respondent in Sanction Order No.21/2024-2025 dated 18.12.2024 and quash the same and direct the respondents to restore the pay fixation as existed prior to the impugned order



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and grant all consequential benefits to the petitioner.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.S.Arjun Suresh,  
Standing Counsel

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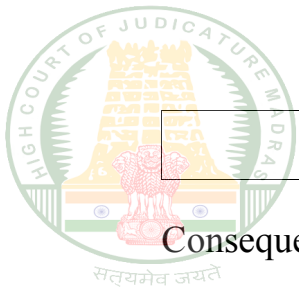
### **ORDER**

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

Mr.S.Arjun Suresh, learned Standing Counsel appears for the respondents.

2. Challenge is to the order of recovery made consequent upon the wrong fixation of pay. Admittedly the petitioner belongs to Group D post and she had already retired upon reaching the age of superannuation. 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* would directly cover the issue.

3. In view of the same, the Writ Petition is **partly allowed** while sustaining the re-fixation, the orders of recovery alone is quashed. The amount, if any, recovered from the petitioner shall be refunded within a period of eight (8) weeks from the date of receipts of a copy of this order. No costs.



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Consequently, connected miscellaneous petition is closed.

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(R.S.M.,J.) (G.A.M.,J.)  
24.03.2025

dsa

Index : No

Neutral Citation : No

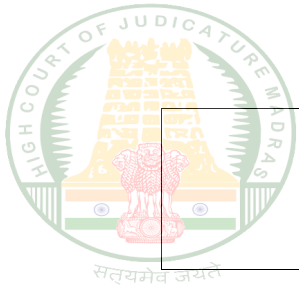
Speaking order

To

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

2.The District Judge,  
Nagapattinam - 611 001.

3.The Sessions Judge,  
Fast Track Mahila Court,  
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**R.SUBRAMANIAN, J.**  
**and**  
**G.ARUL MURUGAN, J.**

dsa

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