

W.P.No.17089 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MRS.JUSTICE GOVINDARAJAN THILAKAVADI

W.P.No. 17089 of 2025

and

W.M.P.Nos. 19378 & 19379 of 2025

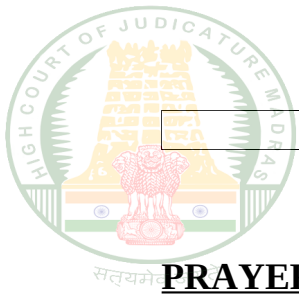
T.Kumaravel

... Petitioner

Vs.

- 1.The Registrar General,
High Court of Madras,
High Court Campus, Madras - 600 104.
- 2.The Principal Secretary to Government,
Home (Court V) Department,
Fort. Saint George, Chennai – 9.
- 3.The Principal District Judge,
Udhagamandalam.
- 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,
Udhagamandalam.
- 6.The Judge,
Family Court,
Udhagamandalam.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order – Office Note.36/2021 dated 23.01.2021, Prog.No.9/2021 dated 23.01.2021, Office Note No.58/2021 dated 15.04.2021 and Prog.No. 40/2021 dated 15.04.2021 passed by the 6th respondent and quash the same as illegal and consequently, direct the respondents to continue to pay at the existing fixation of pay and not to recover the alleged excess amount paid to the petitioner.

For Petitioner : Mr.A.Sakthivel

For Respondents : Ms.N.K.Kanthimathi

Standing Counsel for R1, R3 & R6

Mr.P.Anandakumar

Government Advocate for R2 & R5

ORDER

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

Aggrieved by the orders of re-fixation as well as the recovery dated 23.01.2021 & 15.04.2021, the petitioner has come up with this writ petition.

2. As regards the recovery, the issue is covered by the judgment of the Hon'ble Supreme Court in ***State of Punjab and Others Vs. Rafiq Masih (White***



W.P.No.17089 of 2025

Washer's case) reported in *AIR 2015 SC 696*. As regards the re-fixation, we do not see any grievance for the petitioner as the wrong fixation has been rectified. Hence, while sustaining the re-fixation, we only set aside the orders of recovery. Any amount recovered pursuant to the orders impugned in this writ petition, the same shall be repaid to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

3. Accordingly, this Writ Petition is **partly allowed**, while sustaining the order of re-fixation, the order of recovery alone is set aside. No costs. Consequently, the connected miscellaneous petitions are closed.

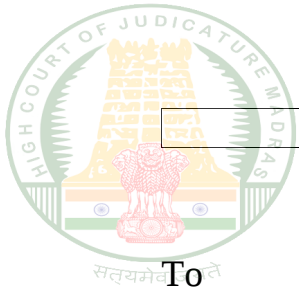
(R.S.M., J.) (K.G.T., J.)
10.06.2025

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Index : No

Neutral Citation : No

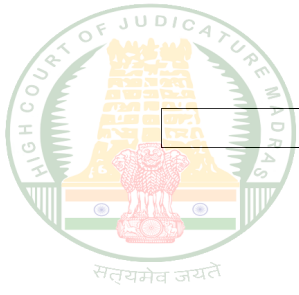
Speaking order



W.P.No.15422 of 2022

To

- 1.The Registrar General,
High Court of Madras,
High Court Campus, Madras - 600 104.
- 2.The Principal Secretary to Government,
Home (Court V) Department,
Fort. Saint George, Chennai – 9.
- 3.The Principal District Judge,
Udhagamandalam.
- 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,
Udhagamandalam.
- 6.The Judge,
Family Court,
Udhagamandalam.



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R.SUBRAMANIAN, J.
and
K.GOVINDARAJAN THILAKAVADI, J.

KKN

W.P.No. 17089 of 2025
and
W.M.P.Nos. 19378 & 19379 of 2025

10.06.2025