



WEB COPY



W.P.No.17931 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MRS. JUSTICE K.GOVINDARAJAN THILAKAVADI

W.P.No.17931 of 2025

and

W.M.P.No.20153 of 2025

Asia Begam

...Petitioner

Vs.

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

2.The Principal District Judge,
Tiruppur.

3.The II Additional District Judge,
Tiruppur.

...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 of recovery order in proceeding No.20/2022 dated 27.04.2022 passed by the 3rd respondent and quash the same and consequently direct the respondents to remit back the recovered amount of Rs.1,79,254/- to the petitioner.



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For Petitioner : Mr.S.Tamilselvan

For Respondents : Mr.P.Kannan Kumar

ORDER

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

Challenge is to the order of recovery passed by the learned II Additional District Judge, Tiruppur, consequent upon re-fixation of the salary of the petitioner, which was erroneously fixed at the time when she entered the service.

2. Admittedly the petitioner is a Group - C employee. Therefore, recovery is governed 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 pronouncement of the Hon'ble Supreme Court, the order of recovery cannot be sustained. The petitioner cannot make a grievance on the re-fixation, as admittedly her pay was erroneously fixed.



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3. Therefore, while sustaining the re-fixation made, the order of recovery alone is set aside. Any amount recovered pursuant to the order impugned, shall be re-paid to the petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above directions, this Writ Petition is **disposed of**.
No costs. Consequently, the connected miscellaneous petition is closed.

(R.S.M.,J.) (K.G.T.,J.)
11.06.2025

dsa
Index : No
Internet : Yes
Neutral Citation : No
Speaking order

To

- 1.The Registrar General,
High Court Madras - 600 104.
- 2.The Principal District Judge,
Tiruppur.
- 3.The II Additional District Judge,
Tiruppur.

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K.GOVINDARAJAN THILAKAVADI, J.

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