



W.P.No.17021 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S.RAMESH

and

THE HONOURABLE MR. JUSTICE V.LAKSHMINARAYANAN

W.P.No.17021 of 2025
and W.M.P.No.19313 of 2025

1.Commissioner
Kendriya Vidyalaya Sangathan
Head Quarters, 18, Institutional Area
Shahid Jeetsingh Marg, New Delhi

2.Deputy Commissioner
Kendriya Vidyalaya Sangatham
Chennai Region, IIT Campus, Chennai

... Petitioner

Vs.

K.S.Muniappan

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, calling for the records of the Central Administrative Tribunal, Madras Bench, culminating in the impugned order dated 27.08.2024 in O.A.No.272 of 2020 and quash the same.

For Petitioner

: Mr.M.Vaidhiyanathan

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ORDER

M.S.RAMESH, J.
AND
V.LAKSHMINARAYANAN, J.

Recovery of any alleged excess payment made, which aspect is not attributable on the part of the employee, is impermissible in law, insofar as it relates to recoveries made five years before the impugned proceedings as well as from pensioners, as held by the Hon'ble Supreme Court in the case of State of Punjab and Ors. V. Rafiq Masih (White Washer) 7 Ors (2015) 4 SCC 334.

2.In this case, Tribunal had placed reliance on the ***State of Punjab and Ors. V. Rafiq Masih (White Washer) and 7 Ors*** reported in (2015) 4 SCC 334, and had set aside the order of the petitioners herein, by placing reliance on ***State of Punjab and Ors. V. Rafiq Masih (White Washer) and 7 Ors*** reported in (2015) 4 SCC 334, insofar as it relates to recovery is concerned.

3.We do not find any illegality or infirmity in the impugned order.



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Accordingly, the Writ Petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

[M.S.R, J.]

[V.L.N, J.]

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Index: Yes / No

Neutral Citation

M.S.RAMESH, J.

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