

W.P.No.17736 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. 17736 of 2025

and

W.M.P.No. 20008 of 2025

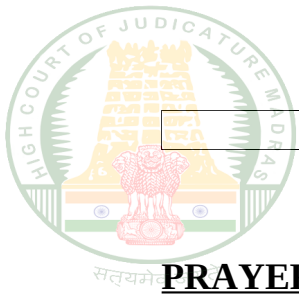
C.Ramakrishnan

... 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,
Dharmapuri.
- 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,
Dharmapuri.
- 6.The Subordiante Judge,
Harur,
Dharmapuri District.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India parying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 02.12.2022 vide Roc.No.614/2022 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.

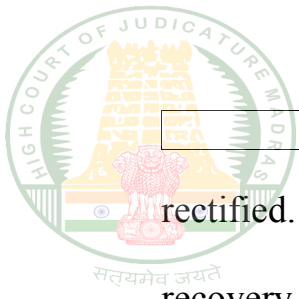
For Petitioner : Mr.A.Sakthivel
For Respondents : Mr.V.Chandrasekaran
Standing Counsel for R1, R3 & R6
Mr.S.Yashwant
Additional Govt. Pleader for R2 & R5

ORDER

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

Aggrieved by the order of re-fixation as well as the recovery dated 02.12.2024, 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 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 order of recovery. Any amount recovered pursuant to the order 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 petition is closed.

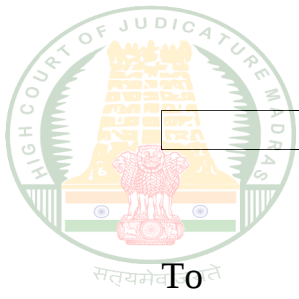
(R.S.M., J.) (K.G.T., J.)
10.06.2025

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Index : No

Neutral Citation : No

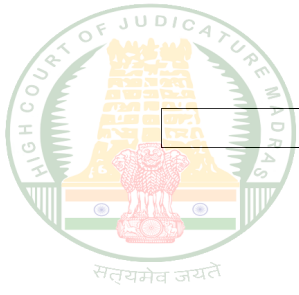
Speaking order



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,
Dharmapuri.
- 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,
Dharmapuri.
- 6.The Subordiante Judge,
Harur,
Dharmapuri District.



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

KKN

W.P.No. 17736 of 2025
and
W.M.P.No. 20008 of 2025

10.06.2025