



WEB COPY

W.P.No.20522 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MRS.JUSTICE **K. GOVINDARAJAN THILAKAVADI**

Writ Petition No. 20522 of 2025

K. Munusamy

.. Petitioner

Vs.

1. The Principal District Judge,
Dharmapuri District Court,
Dharmapuri.

2. The Treasury Officer,
District Treasury Office,
Dharmapuri.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for, to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the Notice issued by the first respondent dated 31.05.2022 for recovery of excess pay and allowance from the petitioner due to wrong fixation of pay for the period from 01.01.2007 to 31.05.2022 amounting to Rs.1,29,226/- from the petitioner and quash the same as illegal and direct the first respondent to refund the same.



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For Petitioner : Mr.A.E.Ravichandran

For Respondents : Mr.Anand Subramanian, for R1

ORDER

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

Challenge is to the order of recovery passed by the first respondent, consequent upon re-fixation of the salary of the petitioner, which was erroneously fixed.

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 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.



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3. Accordingly, this Writ Petition is **partly allowed**, while sustaining the order of re-fixation, the order of recovery alone is set aside. There shall be no order as to costs.

(R.SUBRAMANIAN, J.)(K. GOVINDARAJAN THILAKAVADI, J.)
12.06.2025

Jv

Index: No
Speaking order
Neutral Citation: No

To

1. The Principal District Judge,
Dharmapuri District Court,
Dharmapuri.
2. The Treasury Officer,
District Treasury Office,
Dharmapuri.



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R.SUBRAMANIAN, J.
and
K. GOVINDARAJAN THILAKAVADI

jv

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