



W.P.Nos. 25111, 25117, 25130 and 25135 of 2025

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R.SUBRAMANIAN, J.

AND

K. SURENDER, J.

Today the matter has been listed under the caption "for being mentioned."

2. It appears that there is an error in the concluding paragraphs 3 and 4 of the order dated 15.07.2025. Hence we add "*the refixation made is sustained*" at the end of the paragraph No. 3 and "*all the Writ Petitions will stand partly allowed and the orders of recovery alone will stand set aside.*" in paragraph 4 instead of "all these writ petitions will stand allowed and the orders of recovery will stand set aside".

3. The Registry is directed to issue corrected order copy.

[R.S.M., J.] [K.S., J.]

22.07.2025

jv



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W.P.Nos. 25111, 25117, 25130 and 25135 of 2025

R.SUBRAMANIAN, J.
AND
K. SURENDER, J.

jv

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22.07.2025



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W.P.Nos. 25111, 25117, 25130 and 25135 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2025

CORAM :

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MR.JUSTICE K.SURENDER

W.P.Nos.25111, 25117, 25130 & 25135 of 2025

M.Vijaya	..	Petitioner in WP No.25111 of 2025
G.Lalitha	..	Petitioner in WP No.25117 of 2025
R.Shankar	..	Petitioner in WP No.25130 of 2025
V.Sreelatha	..	Petitioner in WP No.25135 of 2025

v.

1. The Registrar General
High Court of Madras
High Court Campus
Chennai 600 104
2. The Principal Secretary to Government
Home (Court V) Department
Fort St.George
Chennai 600 009
3. The Principal District Judge
Krishnagiri
4. The Principal Accountant General (A and E)



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AG's office (Audit) Complex
Anna Salai, Roast Revor Garden
Teynampet, Chennai 600 018

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5. The District Treasury Officer
Krishnagiri .. Respondents in WP No.25111/2025

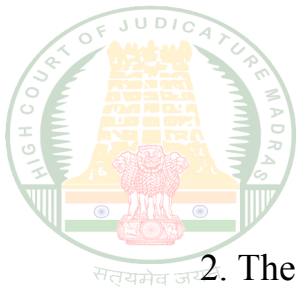
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3. The Principal District Judge
Krishnagiri
4. The Principal Accountant General (A and E)
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Anna Salai, Roast Revor Garden
Teynampet, Chennai 600 018

5. The District Treasury Officer
Krishnagiri

6. The District Munsif cum
Judicial Magistrate No.I Court
Hosur .. Respondents in WP No.25117/2025

1. The Registrar General
High Court of Madras
High Court Campus
Chennai 600 104



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2. The Principal Secretary to Government

Home (Court V) Department

Fort St.George

Chennai 600 009

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 Subordinate Judge

Harur, Dharmapuri District ..

Respondents in WP No.25130/2025

1. The Registrar General

High Court of Madras

High Court Campus

Chennai 600 104

2. The Principal Secretary to Government

Home (Court V) Department

Fort St.George

Chennai 600 009

3. The District Judge

The Nilgiris @ Udthagamandalam

4. The Subordinate Judge

Udthagamandalam

5. The Principal Accountant General (A and E)



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6. The District Treasury Officer
Udhagamandalam

..

Respondents in WP No.25135/2025

W.P.No.25111 of 2025 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the record of the 3rd respondent in connection with the proceedings of ROC No.1677/2023 dated 29.03.2023 and quash the same and direct the respondents to return the amount that had been recovered from the petitioner.

W.P.No.25117 of 2025 is filed under Article 226 of the Constitution of India, praying for issuance of a Certiorarified Mandamus, calling for the records relating to the impugned order dated 12.01.2024 vide Office Note No.2/2024 and the Proceedings in ROC.No.195/2024, dated 24.02.2024 passed by the 6th respondent and quash the same as illegal and consequently direct the respondents to continue to pay at the fixation of pay and not to recover the alleged excess amount paid to the petitioner.

W.P.No.25130 of 2025 is filed under Article 226 of the Constitution of India, praying for issuance of a Certiorarified Mandamus, calling for the records relating to the impugned order dated 02.12.2022 vide Roc No.617/2022 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.

W.P.No.25135 of 2025 is filed under Article 226 of the Constitution of India, praying for issuance of a Certiorarified Mandamus, calling for the record of the 4th respondent in connection with proceedings Progs No.72/2020 dated 18.12.2020 and quash the same and direct the respondents to return the amount of Rs.1,88,879/- which had been recovered from the petitioner.

For Petitioners :: Mr.A.Sakthivel

For Respondents :: Mrs.N.K.Kanthimathi for R1, R3,



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W.P.Nos. 25111, 25117, 25130 and 25135 of 2025

R4, R6

Mr.P.Anandha Kumar

Government Advocate for R2 & R5

COMMON ORDER

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

W.M.P.Nos.28290, 28296 & 28310 of 2025 seeking to dispense with the production of the original impugned orders, stand ordered.

2. Challenge in these writ petitions is to the orders of recovery consequent upon a reduction in the salary of the respective petitioners.

3. It is not in dispute that all the petitioners are Group 'C' employees working in the Judicial Department. The Hon'ble Supreme Court in *State of Punjab and others v. Rafiq Masih (White Washer) case, (2015) 4 SCC 334* had held that recovery shall not be effected from the Group 'C' or Group 'D' employees, ***the refixation made is sustained.***

4. In view of the above pronouncement of the Hon'ble Supreme Court, ***all the Writ Petitions will stand partly allowed and the orders of recovery alone will stand set aside.*** Any amount recovered from these employees



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shall be refunded within a period of twelve weeks from the date of receipt of a copy of this order. Consequently, W.M.P.Nos.28293, 28298, 28299, 28305, 28306, 28313 of 2025 are closed. No costs.

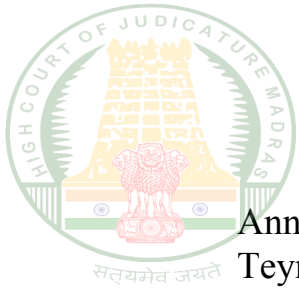
Index : yes/no
Neutral citation : yes/no

(R.S.M.,J.) (K.S.,J.)
15.07.2025

SS

To

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W.P.Nos.25111 of 2025 etc.

15.07.2025