



WEB COPY

W.P.No.22663 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **K. SURENDER**

Writ Petition No. 22663 of 2025
and
W.M.P.No.25508 of 2025

R.Subramanian

.. Petitioner

Vs.

1.The Registrar General,
Madras High Court,
High Court Buildings,
Chennai – 600 104.

2.The Judicial Magistrate No.II,
Judicial Magistrate Court No.II,
Panruti – 607 106.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for, to issue a Writ of Certiorari, calling for the records of the impugned order made by the 2nd respondent in his impugned proceedings in Office Memorandum No.11/2025 dated 15.04.2025 and quash the same.



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For Petitioner : Mr.P.Dinesh Kumar

For Respondents : Ms.N.K.Kanthimathi

ORDER

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

Challenge is to the order of recovery passed by the second 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 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. If any amount recovered pursuant to the order impugned in this Writ Petition, the same 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.



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. Consequently, the connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) (K. SURENDER, J.)
25.06.2025

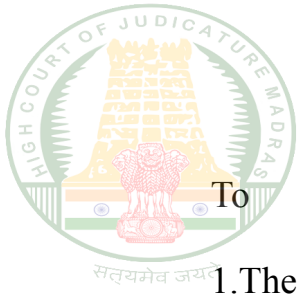
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Index : No

Internet : Yes

Neutral Citation : No

Speaking order



To

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and
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