



WEB COPY

W.P.No.22124 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2025

CORAM:

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

Writ Petition No. 22124 of 2025
and
W.M.P.No.24889 of 2025

P.Vellingiri

.. Petitioner

Vs.

1. The Registrar General,
High Court, Madras 104.

2. The Principal District Judge,
Tiruppur.

3. The District Munsif Court,
Palladam.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for, to issue a Writ of Certiorarified Mandamus to call for the records of recovery order in proceeding No.01/2022 dated 06.01.2022 passed by the 3rd respondent, and quash the same and consequently direct the respondents to remit back the recovered amount of Rs.1,89,440/-.

For Petitioner : Mr.S.Tamilselvan



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For Respondents : Mr.M.Palanimuthu,
Standing Counsel

ORDER

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

Challenge is to the order of recovery passed by the third 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 order of recovery. If 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 (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.

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(R.SUBRAMANIAN, J.) (K. SURENDER, J.)
20.06.2025

dsa

Index : No

Internet : Yes

Neutral Citation : No

Speaking order

To

1. The Registrar General,
High Court, Madras 104.
2. The Principal District Judge,
Tiruppur.
3. The District Munsif Court,
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