



WEB COPY

W.P.No.23206 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2025

CORAM:

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

Writ Petition No.23206 of 2025
and WMP No.26050 of 2025

T. Palanivel

... Petitioner

Vs.

1. The Registrar General
High Court, Madras 104.

2. The Principal District Judge,
Cuddalore.

3. The District Munsif cum Judicial Magistrate,
Kurinjipadi,
Cuddalore District.

... 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 office order in No.8 of 2025 dated 08.04.2025 passed by third respondent for recovery of excess pay and allowance of Rs.1,14,237/- from the petitioner and quash the same and consequently direct the respondents 1 and 3 to remit back the recovered amount Rs.1,14,237/- to the petitioner.



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For Petitioner : Mr.S.Tamilselvan

For Respondents : Mr.S.Giridharan

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 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. Consequently, the connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) (K.SURENDER, J.)
27.06.2025

jv

Internet : Yes
Index : No
Neutral Citation : No
Non Speaking order

To

1. The Registrar General
High Court, Madras 104.
2. The Principal District Judge,
Cuddalore.
3. The District Munsif cum Judicial Magistrate,
Kurinjipadi,
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and
K.SURENDER, J.

jv

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