



WEB COPY

W.P.No.24486 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2025

CORAM:

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

Writ Petition No. 24486 of 2025
and
W.M.P.Nos.27593 & 27595 of 2025

S.Kalaiarasi

.. Petitioner

Vs.

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

2.Principal Secretary of Government,
Home (Court V),
Secretariat Buildings,
Fort St. George,
Chennai – 600 009.

3.The Principal District Judge,
Erode.

4.The Principal Accountant General (A&E),
AG's Office (Audit) Complex,
Teynampet, Chennai – 600 018.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to A.No.188 of 2023 dated 29.05.2023 on the file of 3rd respondent and quash the same as illegal and without jurisdiction and consequently direct the respondents to refund a sum of Rs.1,88,015/- recovered from the petitioner.

For Petitioner : Ms.Anukriti Anand

For Respondents : Mr.P.Anandakumar, Government Advocate
For R2 and R4

Ms.B.Poonkhulali for R and R3

ORDER

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

Challenge is to the order dated 29.05.2023, permitting the petitioner to retire subject to recovery of a sum of Rs.1,88,015/- as on 30.04.2023 allegedly due that arose due to a wrong grant of increment.

2. Admittedly, the petitioner is a Class - IV employee and she had retired on 31.05.2023. Therefore, the action for recovery dated 11.05.2023 cannot be sustained, since it 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*.

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3. Hence, this Writ Petition is **allowed** and the order of recovery is set aside. Any amount recovered pursuant to the order impugned shall be refunded to the petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

(R.SUBRAMANIAN, J.) (K. SURENDER, J.)
07.07.2025

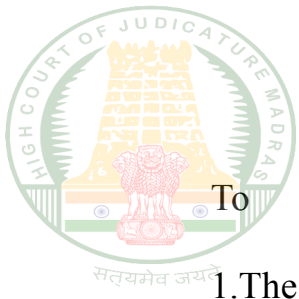
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Index : No

Internet : Yes

Neutral Citation : No

Speaking order



To

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