



WEB COPY

W.P.No.25494 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2025

CORAM:

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

Writ Petition No.25494 of 2025

M.Pakkiri

... Petitioner

Vs.

1. The Registrar General
The Hon'ble High Court of Madras,
High Court Building,
Chennai 600 104.

2. The Principal District Judge,
Villupuram District Court,
Villupuram.

... 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 in impugned proceedings in D.No. /2023 dated .01.2023 passed by the second respondent for recovery of excess claim of pay and allowance of Rs.58,973/- for the period from 01.10.1998 to 30.09.2017 from the petitioner and quash the same, consequently direct the respondents to remit back the recovered amount of Rs.58,973/- to the petitioner within a time.

1/4



WEB COPY

W.P.No.25494 of 2



For Petitioner : Mr.G.Balamanikandan

For Respondents : Mr.M.Palanimuthu, for R1

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 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.



WEB COPY

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.)
14.07.2025

jv

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

To

1. The Registrar General
The Hon'ble High Court of Madras,
High Court Building,
Chennai 600 104.
2. The Principal District Judge,
Villupuram District Court,
Villupuram.



WEB COPY

W.P.No.25494 of 2



R.SUBRAMANIAN, J.
and
K.SURENDER, J.

jv

Writ Petition No.25494 of 2025

14.07.2025