



W.P.No.47302 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 05.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.47302 of 2025

Kathija Beevi

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Handlooms, Handicrafts,
Textiles and Khadi Department,
Chennai – 600 009.
- 2.The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam, Chennai – 600 108.
- 3.The Deputy Director,
State Government Audit Department,
Chennai.
- 4.The Assistant Director – 2.
Khadi and Village Industries,
Tirunelveli & District.
- 5.The Assistant Director,
Khadi and Village Industries,
Dindigul & District.



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6.The Assistant Director,
Khadi and Village Industries,
Madurai & District.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings in Rc.No.3401 Pen.(2)/2022 dated 24.05.2025 passed by the 2nd respondent and in Na.Ka.No.1091/E/2019 dated 12.04.2022 passed by the 4th respondent and quash the same consequently, issue a direction, directing the respondents to pay all the retirement monetary benefits along with accrued interest to the petitioner.

For Petitioners : Mr.R.Prabudoss

For Respondents : Mr.C.Rajkumar for R2, R4 to R6

Mr.K.Surendran
Additional Government Pleader for R1 & R3

ORDER

This Writ Petition has been filed challenging the impugned orders passed by the respondents and for a direction to the respondents to pay all the retirement monetary benefits along with accrued interest to the petitioner.



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2. The learned counsel appearing for the petitioner would submit that the petitioner was joined as an Assistant Grade-3 in the Tamil Nadu Khadi and Village Industries Board in the year 1988 thereafter, he was promoted as an Assistant Grade-2 and retired on 31.05.2022, upon attaining the age of superannuation. After a lapse of 3 years, the 4th respondent passed an impugned order for regularization of the leave and other issues and ordered for recovery of Rs.7,44,690/- as if the respondent paid excess salary to the petitioner and sought to be recovered without conducting enquiry thereby, he preferred the writ petition. However, the learned counsel for the petitioner would submit that the present impugned order is passed without conducting enquiry or any show cause notice, which is in clear violation of law and principal of natural justice. Accordingly, he prayed for appropriate orders.

3. The learned Additional Government Pleader appearing for the respondents would fairly submit that before passing the impugned order, no show cause notice was issued to the petitioner hence, this Court may set aside the impugned order and remand the matter back to the 4th respondent



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for passing appropriate orders, after providing opportunity to the petitioner in compliance with the principles of natural justice.

4. In view of the submission made, the impugned orders are set aside and the matter is remanded back to the 4th respondent. The 4th respondent is directed to pass orders afresh, after issuing show cause notice and conducting enquiry within a period of twelve weeks from the date of receipt of a copy of this order.

5. This Writ Petition is allowed with the above terms. No costs.

05.12.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
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M.DHANDAPANI, J.

KKN

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