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WP No. 47289 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-12-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 47289 of 2025

and

WMP Nos. 52806 and 52805 of 2025

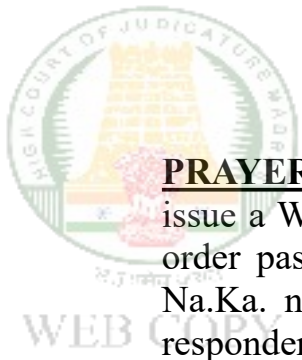
T.Natarajan

Petitioner(s)

Vs

1. State of Tamil Nadu
rep by its Secretary
Finance (Pension) Department
Fort St. George, Chennai 600 009
- 2.State of Tamil Nadu
rep. by its Secretary
Rural Development and Panchayat Raj
Department, Chennai 600 009
- 3.Commissioner
Rural Development and Panchayat Raj
Panagal Maaligai, Saidapet,
Chennai 600 015
- 4.The Accountant General (A & E)
No. 361, Anna Salai Teynampet ,
Chennai 600 015
- 5.District Collector
(Rural Development)
Collectorate Compound
Pudukottai 622 005
- 6.The Block Development Officer
Rural Development Panchayat union,
Arimalam, Pudukottai District
- 7.The District Treasury officer
Namakkal 637 001

Respondent(s)



PRAYER Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the District Treasury officer, Namakakl dated 30.06.2025 in Na.Ka. no 5069 / 2024 / B1 and quash the same and thereby directing the respondents to re fix pension based on last pay drawn along with arrears of pension DCRG and Terminal Leave Salary with 18 percent interest until the date of payment.

For Petitioner(s): Mr.A.R.Nixon

For Respondents: Mr.R.U.Dinesh Raj Kumar,
Additional Government Pleader
for R1 to R3, R5 & R7
Mr.M.Bindran, Additional
Government Pleader for R6
Mr.Mano Rajan for R4

ORDER

Mr.R.U.Dinesh Raj Kumar, learned Additional Government Pleader takes notice on behalf of the respondents 1 to 3, 5 & 7 and Mr. M.Bindran, learned Additional Government Pleader takes notice on behalf of the 6th respondent.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.This writ petition has been filed challenging the impugned order dated 30.06.2025 passed by the District Treasury Officer, Namakkal, the 7th respondent herein.



4. The case of the petitioner is that he was initially appointed as Rural Welfare Officer Grade-II and rendered unblemished service for 36 years, 2 months, and 5 days. He was due to retire on 30.06.2016. However, on the verge of retirement, the petitioner was not permitted to retire, due to the pendency of charges under Rule 17(b). Subsequently, the petitioner was exonerated of all charges in the year 2018. Since the petitioner was not permitted to retire on 30.06.2016, he was sanctioned provisional pension at Rs.6,555/- per month plus dearness allowance and medical expenses from 01.07.2016 until 31.07.2024, vide order dated 31.07.2024. On 27.10.2023, the Block Development Officer, the 6th respondent herein, forwarded the regular pension proposal to Accountant General, the 4th respondent herein, based on last pay drawn. However, the 4th respondent returned the proposal with objections, stating that the service register was not properly maintained. The 4th respondent authorised only minimum pension and further stated that excess salary amounting to Rs.2,60,821/- had been paid to the petitioner for the period from 01.01.2007 to 30.06.2016 and recommended recovery of the said amount from the petitioner's DCRG, based on the recommendation of the 6th respondent. Consequently, the petitioner was compelled to deposit the said amount on 31.01.2025. On 30.06.2025, the 7th respondent sent a letter along with calculation sheet stating that a sum of Rs.7,33,012/- had been paid as excess salary towards provisional pension, and on that ground, the respondents



refused to sanction regular pension. Challenging the same, the present writ petition has been filed.

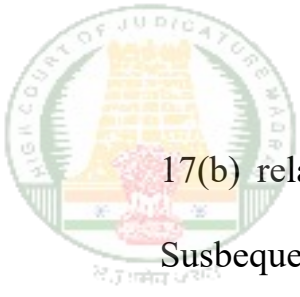
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5. The learned counsel for the petitioner would submit that the present impugned order was passed without issuing any notice to the petitioner. Therefore, the impugned order is perverse and in violation of principles of natural justice and on this sole ground, the present writ petition has been filed.

6. The learned Additional Government Pleader appearing for the respondents 1 to 3, 5 & 7 would submit that it is an admitted fact that the petitioner was not allowed to retire due to the pendency of charges under Rule 17(b). However, the petitioner was exonerated of all the charges in the year 2018. In the meanwhile, the petitioner was paid excess amounts, which are liable to be recovered by the 4th respondent herein. Hence the order passed by the 7th respondent does not warrant any interference by this Court. Accordingly, he prayed for dismissal of the petition.

7. Heard the learned counsel on either side and perused the materials available on record.

8. The facts of the present case are not in dispute. It is an admitted fact that the petitioner entered into service as Rural Welfare Officer Grade-II. On the verge of retirement, a charge memo was issued to the petitioner under Rule



17(b) relating to unauthorised absence and he was placed under suspension.

Subsequently, the petitioner was exonerated of all the charges in the year 2018.

Between 2016 and 2024, excess salary was paid to the petitioner and the same is sought to be recovered from the petitioner. On perusal of the impugned order, before passing the impugned order, no show cause notice was issued to the petitioner. On this sole ground, the impugned order passed by the 7th respondent is liable to be set aside.

9. Accordingly, the impugned order dated 30.06.2025 passed by the District Treasury Officer, the 7th respondent herein is hereby set aside and the matter is remanded back to the Accountant General (A & E), the 4th respondent herein. The 4th respondent is directed to issue a show-cause notice to the petitioner, conduct an enquiry and pass appropriate orders within a period of twelve (12) weeks from the date of receipt of a copy of this order.

10. With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

10-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

1.The Secretary
Finance (Pension) Department
Fort St. George, Chennai 600 009

2.The Secretary
Rural Development and Panchayat Raj
Department, Chennai 600 009

3.Commissioner
Rural Development and Panchayat Raj
Panagal Maaligai, Saidapet,
Chennai 600 015

4.The Accountant General (A & E)
No.361, Anna Salai, Teynampet ,
Chennai 600 015

5.District Collector (Rural
Development)
Collectorate Compund,
Pudukottai 622 005

6.The Block Development Officer
Rural Development Panchayat Union,
Arimalam, Pudukottai District

7.The District Treasury Officer
Namakkal- 637 001



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M.DHANDAPANI J.

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