



W.P.(MD)No.2208 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2025

**CORAM:
THE HON'BLE MR JUSTICE R.VIJAYAKUMAR**

W.P.(MD)No.2208 of 2025

S.Murugan

... Petitioner

Vs.

1.The Secretary to the Government
Home (Police-IX) Department
Fort.ST.George, Chennai 600 009

2.The Director General of Police
Office of the Director General of Police
Dr.Radhakrishnan Salai, Mylapore
Chennai 600 004

3.The Superintendent of Police
Office of the Superintendent of Police
Tirunelveli District

.....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents herein to refund the excess amount recovered from the petitioner in the light of the order passed by the Hon'ble Supreme Court in Civil Appeal No.13407/2015 dated 17.11.2015 and also be considering the representation of the petitioner dated 28.05.2024.



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For Petitioner : Mr.C.Gangai Amaran
For Respondents : Mr.P.Sasikumar
Additional Government Pleader

ORDER

The instant writ petition has been filed by a retired Special Sub Inspector of Police seeking a mandamus directing the respondents to refund the excess amount recovered from the petitioner.

2.According to the learned counsel for the writ petitioner, a sum of Rs.52,500/- was recovered from his salary while he was working as a Grade-II Constable in the year 1994. According to the learned counsel, the similarly placed persons have challenged the order of recovery and orders have been set aside. The said orders have also been confirmed by the Hon'ble Supreme Court. Therefore, the petitioner, being a similarly placed person, is entitled to seek refund of the alleged excess that was recovered from the writ petitioner.

3.A perusal of the records reveal that the recovery was made in the year 1994 and it was not challenged till his retirement or immediately after his retirement. After a period of 30 years, the present writ petition has been filed



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seeking a mandamus to refund the amount which is said to have been recovered from the writ petitioner.

4.In view of the above said facts, there are no merits in the writ petition.

The writ petition stands dismissed on the ground of laches. No costs.

28.01.2025

Index : Yes/No
Internet : Yes/No
NCC: : Yes/No
msa

To

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R.VIJAYAKUMAR, J.

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