



W.P.(MD)No.5706 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.5706 of 2025

and

W.M.P(MD)No.4168 of 2025

L.Rani

... Petitioner

Vs.

1.The District Educational Officer, (Primary Education),
Pattukottai,
Thanjavur District.

2.The Block Educational Officer,
Pattukottai Block Educational Office,
Pattukottai,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from ordering and effecting any recovery from the salary of the petitioner, without supplying copy of audit objection and relevant G.Os for grant of GP.5400/- on promotion as Graduate Teacher on 22.09.2011 and G.Os for denial of the said GP and giving due opportunity to the petitioner to submit objection to the notice Na.Ka.No. 2266/A1/2024, dated 30.01.2025 issued by the respondent (served on 12.02.2025).



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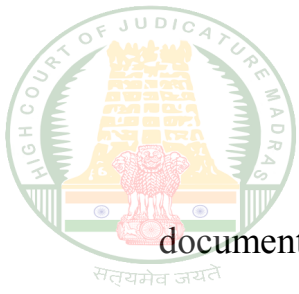
For Petitioner : Mr.A.Thirumoorthy

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This writ petition has been filed against the recovery from the salary of the petitioner without supplying copy of the audit objections and relevant G.Os mentioned in the proceedings issued by the second respondent in Na.Ka.No.2266/A1/2024, dated 30.01.2025.

2. The petitioner is a Head Master working in the Municipal Middle School, Kandian Street, Pattukottai, Thanjavur District. The second respondent issued notice in Na.Ka.No.2266/A1/2024, dated 30.01.2025, wherein, it is stated that wrong fixation of pay was made granting grade pay of Rs.5,400/- in the post of Graduate Teacher to the petitioner and it is directed to pay the excess amount received into the Government account as per the audit objections, dated 08.01.2025. It is also stated in the said proceedings that to drop the audit objections, if the petitioner is having any objections for the recovery or to justify the grade pay paid to her, the petitioner is directed to submit relevant documents to substantiate her stand. The petitioner submitted a representation to the petitioner on 17.02.2025 to the second respondent asking for certain



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documents to enable her to submit explanation. It appears that the documents sought by the petitioner are not furnished by the second respondent. With a apprehension that the second respondent may proceed to recovery against the petitioner, the present writ petition is filed.

3. Having heard the submissions of the respective learned counsels and on perusal of the documents available on record, in my considered opinion, this writ petition is premature. The petitioner can challenge the recovery order, if any, to be passed by the second respondent after considering her explanation. At the same time, it appears that there is inaction on the part of the second respondent in furnishing the documents sought by the petitioner by her representation, dated 17.02.2025.

4. Considering all these facts, in my considered view, this writ petition can be disposed of at the admission stage with the consent of both parties without going into the merits of the case with a direction to the second respondent to furnish the documents sought by the petitioner in her representation, dated 17.02.2025 to enable her to submit explanation to the notice issued on 30.01.2025 to meet the interest of justice.



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5. Accordingly, this writ petition is disposed of with a direction to the second respondent to furnish the documents sought in her representation, dated 17.02.2025 on 05.03.2025 on or before 05.00 p.m. On receipt of the documents from the second respondent, the petitioner shall submit her explanation within a week thereafter.

6. The learned Additional Government Pleader appearing for the respondents shall inform about this order to the second respondent.

7. No costs. Consequently, the connected miscellaneous petition is closed.

04.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

Note: Registry is directed to upload this order on 04.03.2025 itself.



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WEB **To:** PY

- 1.The District Educational Officer, (Primary Education),
Pattukottai,
Thanjavur District.
- 2.The Block Educational Officer,
Pattukottai Block Educational Office,
Pattukottai,
Thanjavur District.



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BATTU DEVANAND, J.

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