



W.A(md)No.1151 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:05.12.2025

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

WA(MD)No.1151 of 2025

and

C.M.P(MD)No.7231 of 2025

- 1.The State Government of Tamil Nadu,
Represented through its Secretary,
Home (Police) Department,
Secretariat,
Chennai.
- 2.The Director General of Police,
Chennai.
- 3.The Deputy Inspector General of Police,
Thanjavur Range,
Thanjavur.
- 4.The Superintendent of Police,
Thanjavur.
- 5.The Superintendent,
Salary Section,
Superintendent of Police Office,
Thanjavur.
- 6.The Administrative Officer,
Superintendent of Police Office,
Thanjavur.

... Petitioners



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Vs.

1.P.Radhakrishnan

...1st Respondent/Writ Petitioner

2.The Principal Accountant General(A&E)

Annasalai,
Chennai-16

...2nd Respondent/5th Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 04.09.2023 passed by this Court in W.P(MD)No.3204 of 2021.

For Petitioners : Mr.Veerakathiravan,
Additional Advocate General-II
Assisted by Mr.J.Ashok AGP

For R1 : Mr.T.S.Mohamed Mohideen

JUDGMENT

(Judgment of the Court was delivered by DR.G.JAYACHANDRAN,J.)

This writ appeal is arising out of the order passed by the learned single Judge in respect of the writ petition filed challenging the order of recovery of excess payment alleged to have been paid by wrong fixation of pay.

2.The learned single Judge, after considering the admission made by the Special Government Pleader conceding that the recovery order is not sustainable, ordered re-fixation of pay scale to be restored. Accordingly, the learned single Judge also ordered repayment of the amount with 6% interest



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from the date of recovery till the date of realisation. The State, being aggrieved by the order of the repayment with interest, has preferred batch of appeals.

3. When the matter is taken up for consideration, the learned Additional Advocate General -II, has circulated a proceedings of the Superintendent of Police, Thanjavur District, in C.No.S1/27500/2023, dated 05.12.2025, wherein it has been specifically stated that the appellants are not aggrieved by the repayment of the excess collected, however, the interest portion ordered by the learned single Judge be waived.

4. The learned counsel appearing for the first respondent submitted that the respondents will be satisfied with the repayment of the excess amount collected and they are not insisting upon the interest portion ordered by the learned single Judge and they give up their right of claiming interest over the amount sought to be recovered.

5. In view of the above fact, this writ appeal stands partly allowed confirming the order of the learned Single Judge directing the appellants to repay the amount recovered. The order passed regarding the payment of 6% interest from the date of recovery till the date of realisation is set aside by



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consent since waived by the respondent.

6.As a result, the writ petitioners shall be entitled for revised re-fixation of pay and the refund of the amount if any recovered from him, pursuant to the wrong fixation of pay. Consequently, connected miscellaneous petition is also closed. No order as to costs.

[G.J., J.] & [K.K.R.K., J.]
05.12.2025

Index :Yes/No

Internet :Yes

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Note:Issue order copy on 09.12.2025



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AND
K.K. RAMAKRISHNAN, J.

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