



W.P.(MD)No.6766 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.6766 of 2025

and

W.M.P(MD)No.5031 of 2025

M.Ramesh Manikandan

... Petitioner

Vs.

- 1.The Director Officer of the
Director of Elementary Education,
DIP Campus, College Road,
Numkambakkam,
Chennai.
- 2.The Assistant Director,
Department of Government Audit,
Thirumangalam,
Madurai District.
- 3.The District Elementary Education Officer,
DEO Office Campus,
Thirumangalam Boys Higher Secondary School,
Madurai.
- 4.The Block Education Officer,
Office of the Block Educational Officer,
Chellampatti, Usilampatti Taluk,
Madurai.

... Respondents



W.P.(MD)No.6766 of 2025

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to the impugned show cause notice issued by the fourth respondent in Na.Ka.No.809/A1/2023, dated 14.08.2023 and quash the same as arbitrary and illegal.

For Petitioner : Mr.M.O.Thevan Kumar

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This writ petition has been filed against the show cause notice issued by the fourth respondent, dated 14.08.2023, wherein, explanation is called for audit report enclosed in the reference of the show cause notice.

2. The petitioner has submitted his explanation on 12.02.2024. Thereafter, it appears that no orders were passed by the fourth respondent and the issue is pending till now.

3. The learned counsel for the petitioner submits that the fourth respondent has orally informed the petitioner that for the excess amount paid to



W.P.(MD)No.6766 of 2025

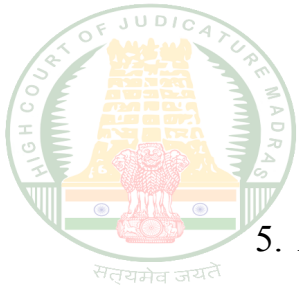
him recovery will be made from the next month onwards. Aggrieved by the

WEB same, the present writ petition is filed.

4. Heard both sides and perused the materials available on record.

5. Having considered the facts and circumstances of the case, it appears that for the alleged excess pay made to the petitioner, the fourth respondent initiated proceedings for recovery and to call for explanation of the petitioner, show notice was issued on 14.08.2023. The petitioner has submitted his explanation on 12.02.2024. It appears that with apprehension that the fourth respondent may recover the said amount from the petitioner, he filed this writ petition.

6. On consideration of this factual situation, in my considered view, it is appropriate and reasonable to dispose of this writ petition at the stage of admission with the consent of both sides without going into the merits of the case with a direction to the fourth respondent to pass final orders pursuant to the show cause notice, dated 14.08.2023 issued to the petitioner after considering the explanation submitted by him within a stipulated time to meet the ends of justice.



W.P.(MD)No.6766 of 2025

5. Accordingly, this writ petition is disposed of with a direction to the fourth respondent to pass appropriate orders pursuant to the show cause notice dated 14.08.2023 by following due process of law. It is made clear that till passing final orders, the respondents are not entitled to recover anything from the petitioner.

No costs.

Consequently, the connected miscellaneous petition is closed.

13.03.2025

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

To:

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W.P.(MD)No.6766 of 2025

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W.P.(MD)No.6766 of 2025

BATTU DEVANAND, J.

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W.P.(MD)No.6766 of 2025

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