



W.A.(MD)No.1814 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.1814 of 2025
and
C.M.P.(MD)No.10280 of 2025**

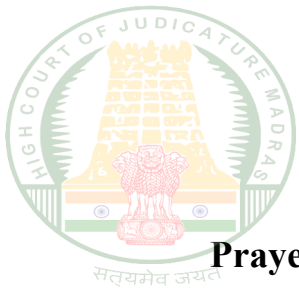
- 1.The Joint Director of Medical and
Rural Health Service (TB),
State TB Officer,
Teynampet,
Chennai - 600 006.
- 2.The Deputy Director of Medical and
Rural Health Service (TB),
Government Hospital Premises,
Virudhunagar,
Virudhunagar District.
- 3.The District Collector,
District Collectorate,
Virudhunagar District.

... Appellants

Vs.

M.M.Pandiaraj

... Respondent



W.A.(MD)No.1814 of 2025

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.19278 of 2017 dated 30.11.2022 on the file of this Court.

For Appellants : Mr.N.Ramesh Arumugam,
Government Advocate.

For Respondent : Mr.A.Mohan

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The writ petitioner was working as Health Educator in the appellant department. His grade pay was erroneously fixed on the higher side in the year 2006. The writ petitioner retired from service in the year 2015. The re-fixation and recovery was ordered in the year 2017. The writ petitioner accepts the order of re-fixation. His only grievance is regarding recovery. Seeking refund of the withheld amount, the writ petitioner filed W.P.(MD)No.19278 of 2017. Applying *White Washer's* principle, the learned Single directed the department to refund amount



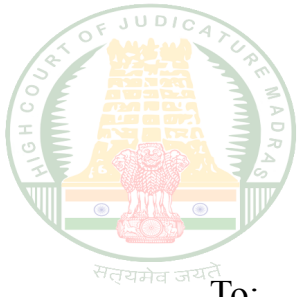
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recovered from the writ petitioner. Questioning the same, this writ appeal has been filed.

3.During the intervening period, the order of the learned Single Judge has also been complied with. When the excess payment was made since 2006 onwards, it was not open to the department to effect recovery that too after the retirement of the employee. When the writ petitioner is ready to go by the re-fixation order passed by the appellants, we can as well give a quietus to the whole issue. The order of the learned Single Judge is confirmed and the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (K.R.S. J.)
16.07.2025

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