



W.P.(MD)No.11387 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.10.2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.11387 of 2022

and

W.M.P.(MD).Nos.8099 and 8100 of 2022

S.Arunachalam

... Petitioner

Vs.

1.The Director of Social Defence,
Social Defence Department,
Chennai-10.

2.The Assistant Director,
Local Fund Audit Department,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned Order in No.1431/A3/2019 dated 02.05.2022 on the file of the Respondent No.1 and quash the same as illegal and consequently for a direction, forbearing the Respondent No.1 from reducing the scale of pay of the petitioner and effect recovery.

For Petitioner

: Ms.B.Rohini,
for M/s.T.Lajapathi Roy



W.P.(MD)No.11387 of 2022

For Respondents

: Mr.A.Baskaran,
Additional Government Pleader

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ORDER

This Writ Petition has been filed challenging the impugned recovery order dated 02.05.2022 passed by the first respondent seeking to recover the excess payments made to the petitioner.

2. Admittedly, the petitioner, who is working as a Wireman in the first respondent Department, is a Group-D employee. The Hon'ble Supreme Court in the case of *State of Punjab and Others vs. Rafiq Masih (commonly known as White Washer case)*, has held that recovery of excess payments made to Group-C or Group-D employee is legally impermissible under law. Therefore, the impugned recovery order is barred by law as it is contrary to the decision rendered by the Hon'ble Supreme Court in the **White Washer case**.

3. Accordingly, the impugned recovery order dated 02.05.2022 passed by the first respondent is hereby quashed and this writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

15.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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To

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Social Defence Department,
Chennai-10.

2.The Assistant Director,
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ABDUL QUDDHOSE, J.

TSG

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