



W.P.(MD).No.9997 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 10.06.2025

CORAM

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.(MD).No.9997 of 2019

and

WMP(MD) Nos.7786, 16236 and 7787 of 2019

T.S.Venkataraman

.. Petitioner

Vs.

1. The Commissioner of Treasuries & Accounts,
Panagal Building,
Saidapet, Chennai.

2. The Regional Director of Treasuries & Accounts,
Madurai Region, Madurai.

3. The Assistant Treasury Officer,
Sub Treasury, Palani,
Dindigul District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records in pursuant to the impugned order issued by the 3rd respondent in proceeding No. Na.Ka.No.1151/2018/A dated 27.03.2019 and quash the same.

For Petitioner : Ms.M.Padmavathy
for M/s.R.Prem Narayanan

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader



W.P.(MD).No.9997 of 2019

WEB COPY

ORDER

This writ petition has been filed by the petitioner challenging the recovery order dated 27.03.2019 passed by the respondents.

2. The learned counsel for the petitioner submitted that the pension pay order had been properly fixed and there was no need for any further re-fixation as ordered in the impugned proceedings. It was further submitted that the impugned order was passed without issuing a show cause notice to the petitioner for the revision of pension, which is arbitrary and hence, the same is liable to be set aside.

3. The learned Additional Government Pleader appearing on behalf of the respondents submitted that on perusal of the records, it appears that no opportunity was given to the petitioner before revising the pension pay. Therefore, the matter shall be remitted back to the third respondent, who will provide an opportunity to the petitioner and based on his reply, further orders regarding the pension fixation will be considered.



W.P.(MD).No.9997 of 2019

4. Heard the learned counsel for the parties and perused the materials available on record.

5. It is a strong case made by the petitioner that no show cause notice was issued before the re-fixation of pension pay and the passing of the recovery order. Therefore, this Court finds it appropriate to set aside the impugned order. Accordingly, the impugned order dated 27.03.2019 is hereby set aside and the matter is remitted back to the third respondent. Further, the third respondent is directed to issue a show cause notice and after receiving the petitioner's reply, pass fresh orders on merits and in accordance with law.

6. With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

10.06.2025

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



W.P.(MD).No.9997 of 2019

WEB COPY

- To
1. The Commissioner of Treasuries & Accounts,
Panagal Building,
Saidapet, Chennai.
 2. The Regional Director of Treasuries & Accounts,
Madurai Region, Madurai.
 3. The Assistant Treasury Officer,
Sub Treasury, Palani,
Dindigul District.



WEB COPY



W.P.(MD).No.9997 of 2019

K.RAJASEKAR,J.

PKN

W.P.(MD).No.9997 of 2019

10.06.2025