



W.P.(MD) No.18296 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P.(MD) No.18296 of 2025

M.A.Suresh Kumar

... Petitioner

-vs-

1.The Registrar General
Madras High Court
Madras

2.The Additional Registrar General
Madurai Bench of Madras High Court
Madurai

3.The Internal Audit Officer
Internal Audit Wing
Madurai Bench of Madras High Court
Madurai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to consider petitioner representation dated 09.04.2025 within the time fix by this Court.



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For Petitioner : Mr.G.Arunachalam

For Respondents : Mr.G.Thalaimutharasu

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

Mr.G.Thalaimutharasu, learned counsel, takes notice for the respondents.

2. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.

3. Admittedly, the learned Special District Judge for M.C.O.P.Cases, Madurai, *vide* proceedings dated 27.05.2024, dropped the further action on the recovery of excess payment of salary made to the petitioner on account of wrong fixation of pay by adding 5% personal pay, which was granted by the Fifth Pay Commission with effect from 01.06.1998. Since the recovery action has been dropped, the petitioner made a representation for refixation of pay. It is needless to state that recovery itself



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will be imposed only after refixing the pay and in the present case, the pay of the petitioner was refixed, recovery was imposed, however, recovery of excess pay alone was dropped. That apart, the petitioner is going to retire from service on attaining the age of superannuation on 31.07.2025. At the time of retirement, the correctness of the pay fixation is to be verified and accordingly, the pay for which the petitioner is eligible alone is to be fixed in accordance with the pay rules and the orders in force.

4. With the above clarification, this writ petition is disposed of.

No costs.

[S.M.S., J.]

[A.D.M.C., J.]

09.07.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1.The Registrar General,
Madras High Court,
Madras.

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Madurai.

3.The Internal Audit Officer,
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S.M.SUBRAMANIAM, J.
and
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