



WEB COPY

Writ Petition No.8551 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

Writ Petition No.8551 of 2026

S.Mani
S/o.Sellan

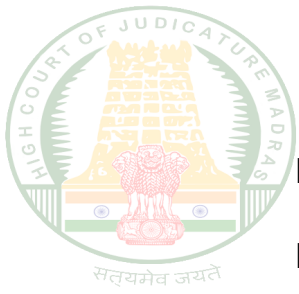
..Petitioner

Vs

1. The Registrar General,
High Court of Madras,
High Court Campus,
Chennai – 600 104.
2. The Principal Secretary to Government,
Home Court (V) Department,
Fort Saint George, Chennai 9.
3. The Principal District Judge,
Dharmapuri.
4. The Principal Accountant General (A & E)
AG's Office (Audit) Complex,
Anna Salai, Roast Revor Garden,
Teynampet, Chennai 600 018.
5. The District Treasury Officer,
Dharmapuri.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the fourth respondent to repay the recovery amount Rs.77,903/- excess pay recovered from the petitioner based on the petitioner's representation dated 12.12.2025.



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For Petitioner : Mr.P.Thirumalaivasan

For Respondents : Mr.M.Fakkir Mohideen [R1 & R3]
Dr.R.Gouri,
Government Counsel [R2 & R5]
Mr.T.Ravikumar [R4]

ORDER

(Made by S.M.Subramaniam J.)

The writ of mandamus has been instituted seeking a direction to the fourth respondent Principal Accountant General to repay the recovered amount of Rs.77,903/-, which was an excess salary paid to the writ petitioner.

2. The petitioner was initially appointed as a Dalayat at District Munsif Court, Pochampalli, on 04.04.1996. He was promoted to the post of Junior Bailiff and retired from service in the year 2022. The grievances of the petitioner is that a notice was issued on 31.05.2022 and a sum of Rs.77,903/- was recovered on the ground that excess salary was paid to the petitioner in violation of pay rules in force. The pay was revised and accordingly, pension sanctioned and the petitioner is receiving pension for the past about 4 years. After a lapse of four years, the present writ petition has been instituted seeking refund of the amount recovered in the year 2022. The petitioner has not challenged the recovery proceedings or the notice issued for recovery of excess salary paid to him. In the absence of any challenge, no relief can be granted. That apart, learned counsel for the fourth respondent submitted that they have not recovered any amount, but, the relief sought for in the present



writ petition is to refund the recovered amount from the fourth respondent.

Therefore, the relief itself is not entertainable. In any event, the writ petition has been filed after a lapse of four years from the date of recovery as well as retirement. Thus, the writ petition is devoid of merits and hit by principles of laches.

Accordingly, the writ petition stands dismissed. No costs.

(S.M.S.,J.) (N.S.,J.)
09-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

1. The Registrar General,
High Court of Madras,
High Court Campus,
Chennai 600104.
2. The Principal Secretary to Government,
Home Court (V) Department,
Fort Saint George, Chennai 9.
3. The Principal District Judge,
Dharmapuri.
4. The Principal Accountant General (A & E)
AG's Office (Audit) Complex,
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5. The District Treasury Officer,
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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

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