



WEB COPY

WP No. 6423 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 6423 of 2026

AND WMP Nos. 6952 and 6956 of 2026

P.Mohanathan

Petitioner(s)

Vs

1. The Director General of Police
Kamarajar Salai, Mylapore,
Chennai-600 004

2.The Commissioner of Police
Coimbatore City, Coimbatore

3.The Accountant General
(Account and Entitlements)
No.361, Anna Salai, Teynampet,
Chennai-18

Respondent(s)

PRAYER: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the records pertaining to the impugned pension Payment order No.E05/10537948/5/PPO No. R0537948/POL dated 30.05.2025 issued by the 3rd Respondent and the consequential impugned order issued by the 2nd Respondent in Roc. No.02/2025 In Na.Ka. No.B5/29454/2025 dated 02.01.2026 (wrongly mentioned 02.01.2025) and quash the same as illegal and consequently direct the respondents to refund /reimburse the recovery amount a sum of Rs.2,07,450/- (Ruppes Two lakh Seven Thousand Four Hundred and fifty only) to the petitioners account within the time frame that may be fixed by this Honble Court.

For Petitioner(s):

M/s.A.Rajaram

For Respondent:

Mr.M.Rajendran, AGP RR1 & 2

Mr.L.Murali Krishnan R3



ORDER

This petition has been filed seeking to quash the impugned pension Payment order dated 30.05.2025 issued by the 3rd Respondent and the consequential impugned order issued by the 2nd Respondent in Roc. No.02/2025 In Na.Ka. No.B5/29454/2025 dated 02.01.2026 (wrongly mentioned 02.01.2025) and consequently direct the respondents to refund /reimburse the recovery amount a sum of Rs.2,07,450/- (Rupees Two lakhs Seven Thousand Four Hundred and fifty only) to the petitioners account.

2. It is the case of the petitioner that he is a retired Special Sub Inspector of Police who entered into service as Grade-II Police Constable in the year 1988 and retired on 30.04.2025 after rendering 37 years of service under the Coimbatore City Police. After retirement, the 3rd respondent issued pension payment order dated 30.05.2025 fixing the petitioner's pension and authorizing pensionary benefits. Subsequently, the second respondent issued proceedings dated 02.01.2026 directing the respondent to recover for a sum of Rs.2,07,450/- alleging excess payment due to retrospective pay re-fixation from 17.11.1988 and ordered recovery from pensionary benefits including DCRG. The alleged excess payment was solely due to administrative error in pay fixation by the Department and not due to any misrepresentation or fraud on his part. On 30.05.2025 and 02.01.2026, the recovery has been ordered after retirement, without issuing any show cause notice or conducting any enquiry, thereby



violating principle of natural justice and Rule 9 of the Tamil Nadu Pension Rules. Challenging the said orders, the present writ petition has been filed

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3. The learned counsel for the petitioner submitted that though the second respondent passed the impugned order dated 02.01.2026 based on the impugned pension payment order dated 30.05.2025. Without giving any opportunity, the respondents 2 & 3 have passed the impugned orders, which is not sustainable one. Hence, this Court may set aside the same and allow this petition.

4. The learned Additional Government Pleader appearing for the respondents fairly submitted that based on the order passed by the third respondent, the second respondent has passed the present order. He further submitted that this Court may remand the matter back to the second respondent for fresh consideration.

5. Heard the learned counsel for both side and perused the materials available on record.

6. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this court remands the matter back to the second respondent within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of the same, the second respondent shall



consider and pass orders after providing opportunity to the petitioner within a period of six weeks, thereafter.

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7. With the above directions, the writ petition is allowed. Consequently, connected miscellaneous petitions are closed. No costs.

25-02-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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