



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

WMP Nos.7716 and 7717 of 2026

in

W.P.Nos.8704 and 8694 of 2025

WMP No. 7716 of 2026

1. Government of India,
Owning Steel Authority of India Limited
Rep by its Director (Personnel),
Ispat Bhawan, Lodi Road,
P.O.Box No.3049, New Delhi

2. The Executive Director
Salem Steel Plant,
Steel Authority of India, Salem

..Petitioners

Vs

1. Salem Steel Plant National Employee Union
Reg No.267/SLM
Rep. By Its General Secretary
K.P.Sureshkuamr,
No.C-27/1, Mohan Nagar,
Salem Steel Plant Township, Salem.

2. R Venkataraman

..Respondents

Petition filed under Article 226 of the Constitution of India to grant an extension of time of nine (9) months to the petitioners for implementing and complying with the order dated 13.12.2024 passed in the Original Application No.1487 of 2016 by the Hon'ble Central Administrative Tribunal which was



confirmed by this Hon'ble Court in Writ Petition No.8704 of 2025 by order dated 23.04.2025.

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WMP No.7717 of 2026

- 1 Union of India
Rep by its Chairman,
Steel Authority of India Limited
Ispat Bhawan Lodi Road
New Delhi.
- 2 The Executive Director
Steel Authority of India Limited
Salem steel Plant, Salem.
- 3 General Manager
(Personnel and Administration)
(Presently known as
General Manager I/c (HR)
Steel Authority of India Limited
Salem Steel Plant, Salem.

..Petitioners

vs.

- 1 Salem Steel Plant National Employee Union
Reg No.221/SLM
Rep by its General Secretary T. Devaraju
No.C-29/38 Mohan Nagar
Salem Steel Plant Township, Salem
- 2 P Matheswaran
- 3 Salem Urukkalalai Thozhilalar
Munnetra Sangam
Reg.No.487/SLM
(Affiliated to LPF)
C-27/8 Salem Steel Plant
Mohan Nagar, Salem



4 S Selvaraj
Mohan Nagar Salem

..Respondents

Petition filed under Article 226 of the Constitution of India to grant an extension of time of nine (9) months to the petitioners for implementing and complying with the order dated 13.12.2024 passed in the Original Application No.864 of 2016 by the Hon'ble Central Administrative Tribunal which was confirmed by this Hon'ble Court in Writ Petition No.8694 of 2025 by order dated 23.04.2025.

For Petitioners: Mr.AR.L.Sundaresan, ASG assisted by
Mr.N.Nithianandam

For Respondents: Mr.V.Govardhanan for
M/s.Row & Reddy for respondents in
WMP 7716/2026

Mr.Balan Haridas for R1 & R2 in
WMP 7717/2026
Ms.G.Ramapriya Gopalakrishnan for
R3 in WMP 7717/2026

COMMON ORDER

(Order of the Court was made by K.Kumaresh Babu J.)

These Miscellaneous Petitions have been filed seeking for extension of time by a period of nine months to comply with the orders passed in respect of refund of the amounts that had been withheld from the terminal benefits of the respective employees.

2. Heard Mr.AR.L.Sundaresan, learned Additional Solicitor General and the learned counsel appearing for the private respondents, who had heavily



objected for grant of extension. They would submit that the order of the Tribunal was made as early as on 13.12.2024 and the writ petitions were filed against the same came to be dismissed on 23.04.2025 and the S.L.P. also met a similar fate on 13.10.2025 and inspite of the same, monies that were recovered without following the due process of law and which had been directed to be returned by complying with the principles laid down in *State of Punjab & others vs. Rafiq Masih (White Washer) and others* (2015) 4 SCC 334, are yet to be returned. All the employees had been superannuated from service.

3. On the contrary, learned Additional Solicitor General would submit that a dedicated portal had been developed inviting online applications from the individual employees to refund the withheld amount by the petitioners, wherein details regarding bank accounts, identity card, etc., had been sought for. He would further submit that there are about 367 employees, who would be entitled for the refund of the terminal benefits, however, only 173 employees alone had made online applications and out of the said applications, 104 had been processed and refunded and 69 applications are still in progress. Therefore, according to him, as and when all the applications are being uploaded in the online portal, the same would be disbursed to the respective employees after due process. Hence, he would submit that extension of time had become necessary and prays this court to grant a reasonable period of atleast six months for implementing the directions of the Tribunal dated 13.12.2024.

4. In reply to the same, learned counsel for the private respondents would



submit that the portal has been created exclusively for ex-employees. In the guise of compliance of the Tribunal's Order, an attempt is being made to issue notice in terms of para 36(ii) which had permitted re-fixation of the salary. He would submit that there can be no question of re-fixation as the respondents have already been superannuated and as their service is not pensionable service, re-fixation that is sought to be made is wholly an unnecessary exercise which could be made only for revision of their pensionary benefits and nothing else. Therefore, the employees had been reluctant in filing the online applications.

5. As a rejoinder, the learned Additional Solicitor General would submit that the Hon'ble Apex Court had also made it clear that it is for the petitioners to take action which as permitted on the apprehension that has been raised by the writ petitioners with regard to issuance of notice and re-fixation of pay. Hence, he would submit that as and when the portal is uploaded by the employees, their claims would be considered.

6. We have heard the learned counsel for the parties and perused the entire materials available on record.

7. The Tribunal, in the penultimate para of its order dated 13.12.2024, had observed as under :-

" (ii) The 2nd respondent Management may issue an appropriate notice for recovery/pay fixation requesting individual explanations from the applicants, considering their responses after providing a fair hearing, and issue a



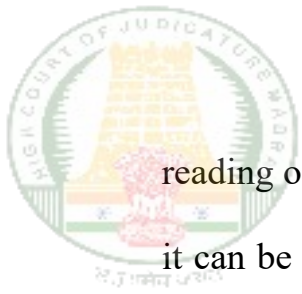
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reasoned order, if necessary. The whole exercise shall be completed within a period of four months from the date of receipt of a copy of this order."

8. The writ petition filed by the petitioners came to be dismissed by applying the principles that were laid down by the Hon'ble Apex Court in ***State of Punjab & others vs. Rafiq Masih (White Washer) and others*** (2015) 4 SCC 334 and the SLP filed was also dismissed affirming the reliance place by the Division Bench on the ***White Washer's case***. A reading of the Apex Court's judgment would indicate that an apprehension has been raised by the learned counsel for the petitioners that in future they cannot issue any notice and re-fix the pay. The Hon'ble Apex Court, taking note of penultimate para of the order of the Tribunal (referred to above), had permitted the petitioners to take action as permitted.

9. The Tribunal had interfered with the orders of re-fixation on the ground that notice had not been served on the employees and as a consequence, directed the amounts recovered to be refunded. The Tribunal had also given a liberty to the petitioners to issue appropriate notice for recovery/pay fixation calling for explanation from the employees and also after affording a fair hearing to issue a reasoned order, if necessary.

10. It is to be noted that in respect of the employees, who had superannuated, they had not been benefitted with any pensionary benefits. A



reading of the judgment of the Division Bench and also the Hon'ble Apex Court, it can be seen that an order of recovery of amount from the an employee, who had superannuated, was also held to be bad by applying the principles laid down in **White Washer's case**. The Tribunal, in its order, permitted the petitioners to issue show cause notice even for recovery. The petitioners can issue show cause notice only for re-fixation and as the service of the employees, who had superannuated, does not carry any pensionary benefits, any re-fixation of the salary, which they had received during the tenure of their service would be an exercise in futility. Thus, no recovery could be made from such employees, who had already superannuated as held by the Division Bench of this court.

11. By implication of the orders made in the writ petitions and as affirmed by the Hon'ble Apex Court, the direction issued by the Tribunal for issuance of show cause notice cannot also be usefully implemented. It is also to be noted that the petitioners would have only disbursed the terminal benefits of the employees, who had superannuated from service directly to their bank accounts and the same had not been disputed by the petitioners. In such event, we are of the view that such disbursement can be made by the petitioners directly to the bank account of the respective employees and need not wait for them to upload the details in the portal that had been created by them.

12. For the aforesaid reasons, the writ miscellaneous petitions are disposed with a direction to disburse the amounts recovered from the respective employees directly through the bank accounts. **Such exercise also shall be**



carried out by them on or before 30.04.2026. It is made clear that no further extension would be granted at any cost. No order as to costs.

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(C.V.K.,J.) (K.B.,J.)
26-02-2026

ssk

To

1. The Registrar,
Central Administrative Tribunal,
Chennai Bench.
2. Salem Steel Plant National Employee Union
Reg No.267/SLM
Rep. By Its General Secretary
K.P.Sureshkuamr,
No.C-27/1, Mohan Nagar, Salem.
3. Salem Steel Plant National Employee Union
Reg No.221/SLM
Rep by its General Secretary T. Devaraju
No.C-29/38 Mohan Nagar
Salem Steel Plant Township, Salem
4. Salem Urukkaikai Thozhilalar
Munnetra Sangam
Reg.No.487/SLM
(Affiliated to LPF)
C-27/8 Salem Steel Plant
Mohan Nagar, Salem



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WMP Nos.7716 and 7717 of 2



**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

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