



WEB COPY

WP No. 7874 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 7874 of 2024
and
WMP.No. 8837 of 2024**

V.Gandhimathi

..Petitioner(s)

Vs

1. The State of Tamilnadu
Rep. by its Principal Secretary,
Department of School Education,
Fort St. George,
Chennai – 600 009.
2. The Principal Secretary,
Government Of Tamil Nadu,
Finance Department,
Fort St. George,
Chennai – 600 009.
3. The Director of School Education,
College Road,
Chennai – 600 006.
4. The Chief Educational Officer,
Cuddalore District - 607 001.
5. The District Educational Officer,
Viruthachalam,
Cuddalore District - 606 001.



6. The Head Master
Government High School, Mathur,
Viruthachalam Taluk,
Cuddalore District - 606 104.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of certiorarified mandamus, calling for the records relating to the impugned orders issued by the 6th respondent vide proceedings in Na.Ka. No. 91/2023 dated 27.10.2023 and the 2nd respondent in A.Thi.Mu. No. 004754/ AkaTha/ 2024 dated 16.02.2024 (ordering to implement the audit objection raised and to recover the alleged excess amount paid to the petitioner), quash the same and further direct the respondents herein to continue to pay salary which the petitioner is drawing with all attendant benefits.

For Petitioner(s): Mr.Godson Swaminathan
for M/s.Isaac Chambers

For Respondent(s): Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the impugned order issued by the 6th respondent dated 27.10.2023 and the 2nd respondent dated 16.02.2024, ordering to implement the audit objection raised and to recover the alleged excess amount paid to the petitioner, quash the same and further direct the respondents herein to continue to pay salary which the petitioner is drawing with all attendant benefits.



2. The learned counsel appearing for the petitioner would submit that the 4th respondent appointed the petitioner as a Secondary Grade Teacher on 13.03.2023 in Government High School, E.Keeranur, Cuddalore District and subsequently, he was transferred to the 7th respondent School vide orders of the 4th respondent dated 16.07.1998. He would further submit that the pay scale of the petitioner was revised with effect from 01.01.2006 notionally, with monetary benefits from 01.01.2007 based on the Tamil Nadu Revised Scales of Pay Rules, 2009, which came into force vide GO.(Ms).No.234 Finance (Pay Cell) Department dated 01.06.2009 thereafter, the 4th respondent awarded selection grade to the petitioner on 18.03.2008 on completion of the 10 years, since the petitioner not granted any promotion and thereafter, on 01.06.2009, the Government vide G.O.Ms.No.234 dated 01.06.2009 revised the scales of pay on the revised notionally 01.06.2006 with monetary benefits from 01.01.2006. Thereafter, the petitioner transferred to 6th respondent School by the 4th respondent on 31.05.2017.

3. Again, the 6th respondent vide order dated 27.01.2018, re-fixed the pay scale level at the level of Secondary Grade Teacher along with increments with effect from 01.01.2006 thereafter, the petitioner's service as BT Assistant (Tamil) with effect from 01.08.2012 was regularised in the year 2023 and again the petitioner was awarded selection grade in the cadre of BT Assistant with effect from 01.08.2022 by the 5th respondent vide order dated 28.03.2023.



However, the 6th respondent without conducting any enquiry vide proceedings dated 27.10.2023 informed the petitioner to pay Rs.7,45,620/- on the basis of the audit objection. Challenging the same, the present writ petition is filed.

4. The learned counsel for the petitioner would submit that pursuant to the audit objection, the order was passed by the 3rd respondent and the same was implemented by the 6th respondent vide impugned order dated 21.10.2023 and hence, this Court may directed the petitioner to make objection before the 3rd respondent within a specified time as fixed by this Court with regard to the refund of Rs.7,45,620/- and re-fixation of the petitioner's pay scale.

5. The learned Special Government Pleader appearing for the respondent would submit that without interfering the re-fixation order, this Court may grant liberty to the petitioner make objection before the 3rd respondent with regard to refund of Rs.7,45,620/- and on receipt of such objection, the respondent will consider and pass appropriate orders.

6. In view of the same, the petitioner is granted to make objection before the 3rd respondent with regard to refund of Rs.7,45,620/- within a period of two weeks from the date of receipt of a copy of this order. If any such objection is made, the 3rd respondent is directed to consider the same and pass appropriate, within period of twelve weeks, thereafter.



7. This Writ Petitions is disposed of with the above directions. No costs.

Consequently, connected miscellaneous petition is closed.

24-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KKN

To

1. The Principal Secretary,
State of Tamilnadu
Department of School Education,
Fort St. George, Chennai – 600 009.
2. The Principal Secretary,
Government Of Tamil Nadu,
Finance Department, Fort St. George,
Chennai – 600 009.
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M.DHANDAPANI, J.

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