



WEB COPY

W.P. No.20451 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.20451 of 2021

and

W.M.P. Nos.21722 and 21723 of 2021

Anitha
W/o.Karupusamy,
Government Observation Home,
Salem, Salem District.

..Petitioner(s)

Vs.

1. The Commissioner /The Director,
Directorate of Social Defense and Juvenile
Welfare Department, Purasaiwakkam,
Chennai-10.
2. The Superintendent,
Government Observation Home,
District Court Campus, Salem-636007.

..Respondent(s)

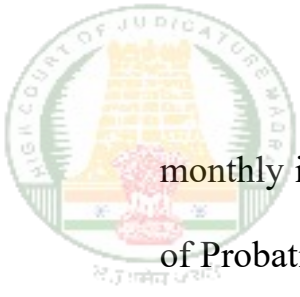
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorari calling for the records in connection with the proceedings in No.012/A1/2021 dated 09.4.2021 of second respondent and quash the same.

For Petitioner(s): Mr.K.Sasindran

For Respondent(s): Ms.P.Aishwarya
Government Advocate

ORDER

The present writ petition is filed challenging the impugned order dated 09.04.2021 whereby a sum of Rs.73,200/- was sought to be recovered in three



monthly instalments on the premise that the petitioner was promoted to the post of Probation Officer (P.O.), though he was not entitled to.

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2. Petitioner would submit that he was appointed as Tamil Teacher on 15.04.2013 and the pay scale was fixed at Rs.9300-34800 + G.P.4600. Petitioner was thereafter promoted as a Middle School Headmaster. While so, on the basis of a Circular which provided that those persons interested/ willing for the post of District Probation Officer may submit their willingness to the respondents. Thereafter, petitioner submitted his willingness and was appointed as a District Probation Officer on 28.12.2017 at Government Observation Home, Salem.

3. The impugned order proceeds on the basis that promotion to the post of Probation Officer ought to be made only from the feeder category of Tamil Teacher and thus the petitioner is not entitled to be promoted. While petitioner does not quarrel over his disentitlement to be promoted, however, would submit that by virtue of having been promoted from Tamil Teacher to Head Master, any recovery ought to be made only with regard to the difference between the salary payable to the Headmaster vis-a-vis the District Probation Officer, however, what is sought to be recovered is the salary payable to the Tamil Teacher vis-a-vis the District Probation Officer. He would also submit that he was never put on notice and he was unable to put across the above position.



4. Learned counsel for respondents would submit that the impugned order is only seeking recovery of dues which has been paid though the petitioner is not entitled to.

5. When it was pointed out that apparently no notice was issued, it was submitted that petitioner may submit their response treating the impugned order as a notice, within a period of two (2) weeks from the date of receipt of a copy of this order and the same would be considered and appropriate orders would be passed within a time period to be stipulated by this Court.

6. In that view of the matter, the writ petition stands disposed of. It is open to the petitioner to submit their response by treating the impugned order as notice, within a period of two (2) weeks from the date of receipt of a copy of this order. If any such response is submitted by the petitioner, the same shall be considered and appropriate orders be passed by the respondents within a period of eight (8) weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petitions are closed.

08-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
MKA



To:

1.The Commissioner /The Director,
Directorate of Social Defense and
Juvenile Welfare Department, Purasaiwakkam,
Chennai-10.

2.The Superintendent,
Government Observation Home,
District Court Campus, Salem -636007.



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MOHAMMED SHAFFIQ J.

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