



WP.(MD)No.413 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.02.2026

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.413 of 2026
and
WMP.(MD)Nos.386 & 387 of 2026

M.Arumugam

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Devakottai Division, Sivagangai District.

2.The Treasury Officer,
District Treasury, Sivagangai.

3.The Assistant Treasury Officer,
Kariakudi, Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records of the first respondent ie., the Revenue Divisional Officer, Devakottai in his proceedings in Na.Ka.No.1594/ A2/2024 dated 15.05.2024 and quash the same and consequently direct the third respondent ie., the Assistant Treasury Officer, Karaikudi to refund the recovery already effected from the month of May 2024.

For Petitioner

: Mr.S.Visvalingam



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For Respondents

: Mr.C.Venkatesh Kumar,
Special Government Pleader.

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ORDER

The petitioner is a retired Village Administrative Officer. He retired on 31.12.2013, on attaining superannuation. By the impugned order in this writ petition, the first respondent has claimed a sum of Rs.60,387/-, that it has been paid in excess towards House Rent Allowance. Challenging the same, the present writ petition has been filed.

2.The learned counsel appearing for the petitioner, by relying upon the order passed by this Court in WP.(MD)Nos.14133 to 14152 of 2024 dated 01.07.2024, submits that the order of recovery as against the petitioner, who served under 'C' category, that too after retirement, is against the guidelines issued by the Hon'ble Supreme Court in State of Punjab and others Vs. Rafiq Masih (White Washer) reported in AIR 2015 SC 696. The learned counsel has also relied on the Government Order issued in G.O.(Ms)No.286, Finance (Pension) Department, dated 28.08.2018. He has also pointed out that the impugned order has



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been passed without issuing prior notice.

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3.The learned Special Government Pleader appearing for the respondents admits that the impugned order has been passed without issuing any notice. Therefore, he consents to set aside the impugned order and remand back the matter for fresh consideration by providing an opportunity to the petitioner.

4.This Court has considered the submissions made on either side and perused the records carefully.

5.Admittedly, the order of recovery has been passed as against the petitioner, an employee under 'C' category, after his retirement, that too after 11 years. In view of the guidelines issued by the Hon'ble Supreme Court in White Washer's case, the present writ petition is allowed and the order impugned dated 15.05.2024 is set aside and the amount, if any recovered, shall also be refunded to the petitioner. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.



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NCC : Yes/No

Index : Yes/No

Internet:Yes

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B.PUGALENDHI,J

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