



WP(MD). No.4023 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18/02/2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD). No.4023 of 2026

and

W.M.P(MD).No.3370 and 3371 of 2026

S.Anbarasan,

... Petitioner

Vs

1. The Agricultural Production, Commissioner and Principal Secretary
to the Government,
Agriculture Department,
Fort St.George,
Chennai.
2. The Director of Agriculture,
Agriculture Department,
Chepauk,
Chennai 5.
3. The Joint Director of Agriculture,
O/o the Joint Director of Agriculture,
Pudukkottai..

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARI calling for the records pertaining to the impugned order passed by the 3rd respondent



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vide his proceedings in No. Se.Mu.A.No.ThaaAB.3/3670/2015(2) dated 16.10.2025 and to quash the same within the period that may be stipulated by this Court.

For Petitioner : Mr.H.Mohamed Imran
For Respondent : Mr.G.V.Vairam Santhosh,
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order of recovery passed by the third respondent.

2. The learned counsel for the petitioner has submitted that the order of recovery has been passed without providing an opportunity.

3. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner, who is now working as an Agricultural Officer, was issued with a recovery order dated 16.10.2025 directing him to pay a sum of Rs.20,89,485/-. The petitioner has challenged the same on the ground that the recovery order was passed without providing him an opportunity of hearing.



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4. Considering the submissions made on behalf of the petitioner, this Court, on an earlier occasion, directed the respondents to verify whether the petitioner had been provided any opportunity before passing the impugned order.

5. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents submitted that the misappropriation was detected on 06.09.2016 in an audit objection, pursuant to which an enquiry was conducted and the petitioner was called upon to offer his explanation. It was further submitted that one Radha had admitted his guilt on 30.03.2017 and proceedings were initiated fixing responsibility on the said officer and the misappropriated amount attributable to him was also recovered from his pension benefits.

6. In the year 2021, the Assistant Director (Audit) directed that the persons responsible for the said misappropriation be identified. Accordingly, a committee was constituted, which recommended that apart from Radha, the petitioner was also responsible for the commission of the misappropriation. Based on the said report dated 10.01.2022, an



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attempt was made to serve the same on the petitioner on 17.10.2024; however, he refused to receive the same. The respondents further claimed that it was subsequently communicated to the petitioner by registered post. Thereafter, the impugned order came to be passed.

7. Considering the above submissions made on either side, this Court finds that the petitioner was not provided with an opportunity before passing the recovery order. Therefore, the impugned order is set aside on this limited ground alone, without expressing any opinion on the merits of the respondents' claim. The respondents are directed to issue a show cause notice calling for an explanation from the petitioner within a period of two weeks from the date of receipt of copy of this order and thereafter, conduct an enquiry and pass a detailed and appropriate order, within a further period of six weeks therefrom.

8. With the above directions, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

18.02.2026

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B.PUGALENDHI,J

TTA

ORDER
IN
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Date : 18/02/2026