



W.P(MD)No.8569 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.03.2026

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.8569 of 2026

and

W.M.P(MD)No.6945 of 2026

N.Murugesan

... Petitioner

vs.

1.The Superintending Engineer
Madurai Electricity Distribution Circle (Metro)
TANGEDCO
K.Pudur,
Madurai District

2. The Assistant Audit Officer / AP-5,
Audit Branch,
Coimbatore Region,
Coimbatore.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned order of Recovery in Ku.Aa.No.MeaPo/MaMibava/Mathu/Nia/NiMea/Sabapi/ul/Ko.Audit/A. No. 185/2025 dated 08.04.2025 on the file of the 1 Respondent and quash the same as illegal and consequently directing the 1st respondent to Repay the surrender Leave Benefits of Rs. 2,39,436 /- to the petitioner



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which is entitled as per the order of this Honble Court in Cont.P.
(MD).No. 744 of 2024 dated 25.06.2024 and in light of Board
Proceedings in Memorandum No. 61237-P2/85-1 dated 21.06.1986.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.B.Ramanathan
Standing Counsel

ORDER

The present writ petition has been filed seeking the issuance of a Writ of Certiorarified Mandamus to quash the impugned order of recovery in Ku.Aa.No.MeaPo/MaMibava/Mathu/Nia/NiMea/ Sabapi/ Ul/ Ko.Audit/A.No.185/2025 dated 08.04.2025 passed by the first respondent, and consequently to direct the first respondent to repay the surrender leave benefits of Rs.2,39,436/- to the petitioner, which he is entitled to as per the order of this Court in Cont.P.(MD).No.744 of 2024 dated 25.06.2024, and in light of the Board Proceedings in Memorandum No.61237-P2/85-1 dated 21.06.1986.

2. Mr. B. Ramanathan, learned Standing Counsel, takes notice for the respondents.



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3. By consent of both parties, the writ petition is taken up for final disposal at the stage of admission.

4. The contention of the petitioner is that the Audit Slip dated 21.03.2025 states as follows:

“Hence, it may be confirmed to Audit whether the official had applied for surrender leave benefits within one month from the date of receipt of orders treating the period of suspension as duty. If so, the same may be produced to Audit. If the official had not applied for surrender leave benefits within one month from the date of receipt of such orders, the amount of Rs.2,39,436/- may be arranged to be recovered from the official and the fact may be intimated to Audit.”

5. In light of the above audit objection, the first respondent passed the impugned order dated 08.04.2025. However, the said order has been passed without proper application of mind. The petitioner had, in fact, applied for surrender leave benefits within the stipulated period of one month, i.e., on 26.11.2023. The audit slip itself states that if the



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application was made within the stipulated time, recovery need not be effected. The first respondent, without verifying the records, has passed the impugned order.

6. Therefore, the impugned order dated 08.04.2025 passed by the first respondent is quashed. The first respondent is directed to rehear the petitioner after affording him an opportunity of personal hearing. While considering the matter, the respondent shall take into account the fact that the petitioner had applied within the stipulated period of one month and pass appropriate orders in accordance with law. The above exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

7. Accordingly, the writ petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

30.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

- 1.The Superintending Engineer
Madurai Electricity Distribution Circle (Metro)
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Madurai District
2. The Assistant Audit Officer / AP-5,
Audit Branch,
Coimbatore Region,
Coimbatore.



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S.SRIMATHY, J.

am

**ORDER MADE IN
W.P(MD)No.8569 of 2026**

DATED :30.03.2026