



W.P.(MD) No.10696 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2026

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.10696 of 2023

and

W.M.P.(MD) No.9427 of 2023

K.J.Kandavelkumar

... Petitioner

Vs.

1.The Additional Chief Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai-5.

2.The District Collector,
Master Plan Complex,
Virudhunagar -2.

3.The Accountant General,
Anna Salai, Chennai.

4.The Treasury Officer,
Virudhunagar.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the second respondent in No. K1/46009/2021 dated 26.10.2022 and quash the same on the ground of violation of natural justice and against the service conditions and the law laid down by the Honble Apex Court and consequently direct the second



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and third respondents to refund the amount to the petitioner recovered from DCRG.

For Petitioner : Mr.R.Aravindan
For R1 & R2 : Mr.S.Shajin Bino
Special Government Pleader
For R3 : M/s.S.Mahalakshmi

O R D E R

This Writ Petition has been filed challenging the impugned order dated 26.10.2022 bearing reference No. K1/46009/2021 passed by the second respondent, whereby the pay of the petitioner has been reduced by fixing the same adversely affecting the petitioner financially.

2. The main ground of attack is that the impugned proceedings have been issued without affording any opportunity to the petitioner, in gross violation of the principles of natural justice.

3. A perusal of the impugned proceedings also does not disclose that any opportunity was afforded to the petitioner prior to the issuance of the same. Though this Writ Petition is of the year 2023, no counter affidavit has been filed as on date. The petitioner has already attained the



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age of superannuation and retired from service during the pendency of this

Writ Petition. His terminal benefits have also been settled, duly giving effect to the impugned proceedings. In case the impugned proceedings are found to be erroneous, the petitioner would be entitled to higher terminal benefits and pension.

4. Mr.S.Shaji Bino, learned Special Government Pleader appearing for the first and second respondents, having gone through the impugned proceedings, fairly submitted that the same was issued without affording any opportunity to the petitioner and therefore submitted that the matter may be remanded for fresh consideration.

5. In the light of the above, without going into the merits of the matter, the impugned proceedings are hereby quashed solely on the ground of violation of the principles of natural justice and the matter is remanded to the second respondent for fresh consideration by affording sufficient opportunity of hearing to the petitioner. The second respondent is also directed to pass appropriate orders on remand as expeditiously as possible, at any rate, within a period of three (3) months from the date of receipt of a copy of this order.



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WEB COPY 6. Accordingly, this Writ Petition is allowed. No costs.

Consequently, the connected Miscellaneous Petition is closed.

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NCC : Yes / No

Index : Yes / No

To

- 1.The Additional Chief Secretary and
Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai-5.
- 2.The District Collector,
Master Plan Complex,
Virudhunagar -2.



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MUMMINENI SUDHEER KUMAR, J.

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