



W.P(MD)No.14564 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.06.2026

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THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P(MD)No.14564 of 2026

and

WMP(MD)Nos.10918 and 10919 of 2026

R.Srirangan

... Petitioner

Vs.

1. The Additional Registrar General,
Madras High Court, Madurai Bench,
Madurai.

2. The Principal District Judge,
Tiruchirappalli.

3. The Subordinate Judge Court,
Thuraiyur, Trichy District.

...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 in connection with impugned orders in No. Na.Ka. Nil/2025/A1/dated 12.11.2025 by the 3rd respondent followed by the No.D.No.7704/A2/2025, dated 01.11.2025 of the 2nd respondent and ROC No. 1/IAW/MBMHC/TRC-40/Accounts/2017-2023/ dated 30.09.2024 received on 08.11.2025 and quash the same in so far as petitioner is concerned.

For Petitioner : Mr.S.Balasubramanian
For Respondents : Mr.N.Tamilmani



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ORDER

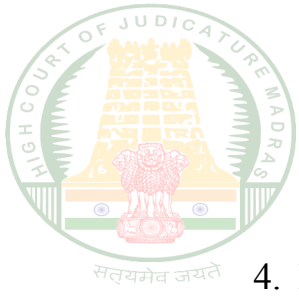
(Order of the Court was made by **N.SATHISH KUMAR, J.**)

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Challenging the order of re-fixation and the consequential recovery, the petitioner has filed this writ petition.

2. Learned counsel for the petitioner would submit that the grievance of the petitioner is only with regard to recovery and he is not challenging the order of re-fixation.

3. The said submission is placed on record. The petitioner is now working as Junior Bailiff in the Sub Court, Thuraiyur, which is a Group-C post. Refixation has been made stating that while he was working as Night Watchman which is a Group-D post, pay was wrongly fixed and consequently, recovery is sought to be made by the impugned orders. It is well settled that as per the judgment of the Hon'ble Supreme Court in **State of Punjab and Others vs. Rafiq Masih (White Washer)** reported in **(2015) 4 SCC 334**, recovery from employees belonging to Class III and Class IV service (or Group 'C' and Group 'D' service) is impermissible in law. The said ratio is squarely applicable to the petitioner's case. The respondents have already refixed the pay of the petitioner, and the petitioner has no grievance with regard to such re-fixation. The petitioner only seeks cancellation of the recovery amount.



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4. In view of the above, the impugned order is quashed in respect of recovery alone. If any amount has been recovered pursuant to the impugned proceedings, the same shall be refunded to the petitioner.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[N.S.K., J.] & [M.J.R., J.]
05.06.2026

Index : Yes / No
Neutral Citation : Yes / No
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To

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Tiruchirappalli.

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N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.

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ORDER MADE IN
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