



W.P(MD)No.16101 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 16.06.2026

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

W.P(MD)No.16101 of 2026

and

WMP(MD)No.12010 of 2026

Ravichandran

... Petitioner

Vs.

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

2. The Principal District Judge,
Ramanathapuram District.

3. The State of Tamil Nadu,
Rep by its Secretary,
Accountant General,
Chennai -18.

4. The Internal Audit Wing,
Madras High Court, Madurai Bench,
Madurai.

5. The Treasury Officer,
Ramanathapuram District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 24.11.2025 passed by the



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respondent No.2 vide proceedings in order No.B1/297/2025 and quash the same as illegal and direct the respondents herein to not to recover Rs.2,17,585/- from the petitioner's salary and subsequently direct the respondents to re-fix the petitioner's pay scale in accordance with applicable rules and Government Orders, without effecting any recovery from the petitioner and refund the payment recovered till date within a stipulated time period in accordance with law.

For Petitioner : Mr.C.Senthil Murugan
For R1, R2 & R4 : Mr.D.Sivaraman, Standing Counsel
For R3 : Mr.P.Gunasekaran, Standing Counsel
For R5 : Mr.M.S.Parthiban, Counsel for State

ORDER

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

Challenging the order of recovery dated 24.11.2025 passed by the 2nd respondent, this writ petition is filed.

2. The only concern of the learned standing counsel appearing for the 2nd respondent is that the writ petitioner himself has given an undertaking to recover the amount wrongly paid to him. Since the writ petitioner himself admitted wrong payment and not objected to recovery, the impugned order does not require interference by this Court.

3. Learned counsel for the petitioner would submit that the alleged undertaking was obtained from the petitioner under coercion and the petitioner



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gave such undertaking fearing disciplinary proceedings and therefore, the said undertaking cannot be acted upon. Learned counsel for the petitioner would further submit that the grievance of the petitioner is only with regard to recovery and he is not challenging the order of re-fixation.

4. The said submission is placed on record. The petitioner is now working as Junior Assistant in the 2nd respondent Court which is a Group-C post. 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.

5. 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.



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6. With the above direction, the Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

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[N.S.K., J.] & [M.J.R., J.]
16.06.2026

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

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Ramanathapuram District.

3. The Secretary,
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AND
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ORDER MADE IN
W.P(MD)No.16101 of 2026
DATED : 16.06.2026