



W.P(MD)No.16431 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2026

CORAM:

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

**W.P(MD)No.16431 of 2026
and
W.M.P(MD)No.12269 of 2026**

M.Amutha

... Petitioner

vs.

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

**2.The Internal Audit Officer,
Financial Advisor,
Madurai Bench of Madras High Court,
Madurai.**

**3.The Principal District Judge,
Principal District Court,
Ramanathapuram.**

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records in the impugned order No.B1/296/2025 dated 24.11.2025 passed by the third respondent and quash the same as illegal.

For Petitioner : Mr.G.Arunachalam

For Respondents : Mr.N.Ga.Natraj
Standing Counsel

ORDER

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

Challenging the order of recovery dated 24.11.2025 passed by the third respondent, the petitioner has filed this writ petition.

2.The learned counsel for the petitioner would submit that the grievance of the petitioner is with regard to recovery.

3.The petitioner is now working as Bench Clerk (Grade I) Principal District Court, Ramanathapuram. While the petitioner was serving as Head Clerk, which is a Class IV category, excess pay was made to the



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petitioner. Hence, the impugned order came to be issued. 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.

4. In view of the above, the impugned order is quashed in respect of recovery. 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 petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
17.06.2026

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

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

ps

ORDER MADE IN
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