

W.P.(MD)No.16413 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.06.2026

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THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.16413 of 2026

and

W.M.P.(MD)No.12253 of 2026

M.Dharmaraj

... Petitioner

vs.

1.The Managing Director,
Tamilnadu Civil Supplies Corporation,
No.12, Thambusamy Road,
Kilpauk, Chennai – 10.

2.The Regional Manager,
Tamilnadu Civil Supplies Corporation,
Ramanthapuram Region, Ramanathapuram.

3.The District Collector,
Madurai District, Madurai.

4.The Thasildar,
Madurai North Taluk, Madurai District.

5.The Circle Revenue Inspector,
Koolapandi, Madurai North Taluk,
Madurai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records pertaining to the impugned order made in Na.Ka.No.1398/2026/E4 dated 20.05.2026 passed by the 4th respondent and quash the same as illegal.

For Petitioner :Mr.P.R.Prithiviraj
For R1 and R2 :Mr.G.Mohankumar
For R3 to R5 :Mr.M.Mahaboob Athiff
Government Advocate

ORDER

The petitioner challenges the notice dated 20.05.2026 issued by the fourth respondent, whereby the petitioner was called upon to pay a sum of Rs.9,82,282/- towards the loss allegedly caused to the respondent Corporation.

2.Heard Mr. P.R. Prithiviraj, learned counsel for the petitioner, Mr. G. Mohankumar, learned counsel appearing for respondents 1 and 2, and Mr. M. Mahaboob Athiff, learned Government Advocate appearing for respondents 3 to 5.

3.The respondent Corporation had initiated disciplinary proceedings against the petitioner and others alleging misappropriation.

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In the enquiry, the charges against the petitioner were held proved, resulting in the punishment of stoppage of increment, which was subsequently confirmed by the appellate authority. The loss caused to the Corporation was assessed at Rs.9,82,282/- as against the petitioner.

4. Based on the said assessment, the first respondent issued an order directing recovery of the amount from the petitioner. Challenging the same, the petitioner filed W.P.(MD) No.17597 of 2014. By order dated 31.10.2014, this Court set aside the recovery order and granted liberty to the first respondent to issue a fresh demand notice after following the procedure established by law.

5. Since the respondent Corporation has no independent power to recover the amount, it requested the fourth respondent to recover the dues as arrears of land revenue under the provisions of the Tamil Nadu Revenue Recovery Act, 1864. Pursuant thereto, the fourth respondent issued the impugned notice calling upon the petitioner to pay the amount, failing which recovery proceedings would be initiated.



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6.Learned counsel for the petitioner contended that the impugned notice lacks statutory authority, as this Court had only granted liberty to the first respondent to issue a fresh demand notice.

7.On the other hand, the learned Government Advocate submitted that the respondent Corporation is entitled to invoke the provisions of the Tamil Nadu Revenue Recovery Act, 1864 for recovery of the amount assessed against the petitioner. It was further submitted that the impugned notice is only a preliminary notice issued before initiating recovery proceedings under the Act.

8.This Court has considered the rival submissions.

9.The liberty granted by this Court to the respondent Corporation to issue a fresh demand notice does not prevent it from invoking the provisions of the Tamil Nadu Revenue Recovery Act, 1864 for recovery of the amount due. Admittedly, the loss caused by the petitioner has already been assessed and the said assessment has attained finality. Therefore, the respondent Corporation is entitled to request the fourth



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respondent to recover the amount as arrears of land revenue. The impugned notice has been issued as a preliminary step before initiating proceedings under the Act and cannot be said to be without authority of law.

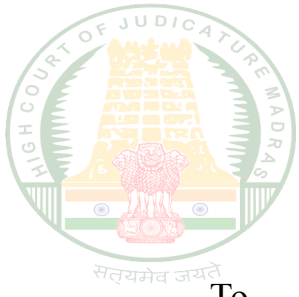
10.In the above circumstances, the writ petition is disposed of granting liberty to the petitioner to submit a detailed explanation to the impugned notice within a period of fifteen days from the date of receipt of a copy of this order. Upon receipt of such explanation, the fourth respondent shall consider the same and proceed in accordance with law.

11.There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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

16.06.2026

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HEMANT CHANDANGOUDAR, J.

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