



W.A(MD)No.369 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2026

CORAM:

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

**W.A(MD)No.369 of 2026
and
C.M.P(MD)No.3368 of 2026**

- 1.The Principal Secretary to Government,
Public Works Department,
Secretariat,
Chennai-600 009.
- 2.The Commissioner of Treasuries and Accounts,
3rd Floor, Perasiriyar K.Anbazzhagan
Maaligai, 571, Anna Salai,
Nandanam,
Chennai-35.
- 3.The Engineer in Chief and
Chief Engineer (General)
Public Works Department,
Chennai-05.
- 4.The Superintendent Engineer,
Building Construction and Maintenance Circle,
Public Works Department, Trichy-01.



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5.The Executive Engineer (Electrical),
PWD Electrical Division,
Trichy-01.

... Appellants/Respondents

vs.

C.Kamal

... Respondent/Petitioner

PRAYER : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 02.07.2024 made in W.P(MD)No.11485 of 2024.

For Appellant : Mr.D.Sasikumar
Additional Government Pleader

For Respondent : Mr.Aayiram K.Selvakumar

JUDGMENT

[Judgment of the Court was made by N.SATHISH KUMAR, J.)

Challenging the order of the learned Single Judge allowing the Writ Petition in W.P(MD)No.11485 of 2024, by which the impugned communication for recovery of the additional allowance allegedly paid to 119 Assistant Engineers was set aside, the respondents in the writ petition have filed the present writ appeal.



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WEB COPY 2. The learned Single Judge set aside the impugned order mainly on the ground that without proper explanations as to how such sanction was made in accordance with the rules and without seeking explanation from the concerned employees, the amount cannot be recovered. Challenging the same, the present writ appeal has been filed.

3. The learned counsel for the appellants submitted that the order does not specify the basis and that a clarification is required, particularly in response to the audit objection. It is further submitted that the impugned order was issued based of a Government letter and the entitlement of the parties to claim additional allowance has to be examined in the context of the relevant rules.

4. We are of the view that before taking any action for recovery, appropriate notice must be issue to each employee who benefited from the additional allowance. Only after considering their explanations can any such order be passed. Therefore we are of the view that no further direction is required.



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WEB COPY 5. Accordingly, the writ appeal is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
17.03.2026

NCC : Yes / No
Index : Yes / No
am

N.SATHISH KUMAR,J.



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and
M.JOTHIRAMAN,J.

am

ORDER MADE IN
W.A(MD)No.369 of 2026

DATED : 17.03.2026