

W.P(MD)No.11906 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 27.04.2026

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

W.P(MD)No.11906 of 2026
and
WMP(MD)No.9013 of 2026

D.V.Lalitha

... Petitioner

Vs.

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

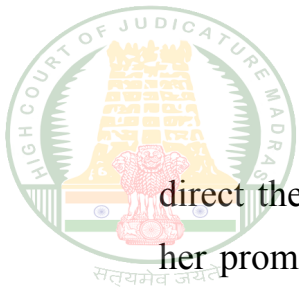
2. The Chief Judicial Magistrate,
The Chief Judicial Magistrate Court,
Ramanathapuram.

3. The Judge,
Family Court,
Ramanathapuram.

4. State of Tamil Nadu,
Rep by the Accountant General,
261, Anna Salai,
Chennai.

...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 relating to the impugned proceedings of the respondent No.2 in Order No.B1/99/2025 dated 17.12.2025 and quash the same and consequently



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direct the respondents to grant one promotional increment to the petitioner on her promotion as Sheristadar from the post of Bench Clerk Grade-I, by taking into account the higher duties and responsibilities attached to the said post, and to refund the recovery amount already effected from petitioner salary, within a time frame as may be fixed by this Court.

For Petitioner	: Mr.S.M.A.Jinnah
For R1 to R3	: Mr.D.Senthil, Standing Counsel
For R4	: Mr.J.Ashok
	Additional Government Pleader

ORDER

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

Challenging the order of re-fixation dated 17.12.2025 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 she is not challenging the order of re-fixation.

3. The said submission is placed on record. The petitioner is now working as Sheristadar in the Principal District Court, Ramanathapuram, 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**



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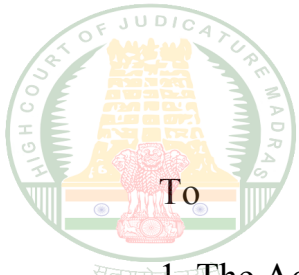
Washer) reported in **(2015) 4 SCC 334**, recovery from employees belonging to Class III and Class IV service (or Group 'C' and Group 'D' service) is impermissible in law. The said ratio is squarely applicable to the petitioner's case. The respondents have already refixed the pay of the petitioner, and the petitioner has no grievance with regard to such re-fixation. The petitioner only seeks cancellation of the recovery amount.

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 petition is closed.

[N.S.K., J.] & [M.J.R., J.]
27.04.2026

Index : Yes / No
Neutral Citation : Yes / No
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ORDER MADE IN
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