



W.P.No.9895 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2024

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CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.9895 of 2020

A.Ratchagadevi

... Petitioner

Vs.

- 1.The Director cum Mission Director,
Integrated Child Development Services,
Pammal Nalthambi Street,
Taramani, Chennai – 113.
- 2.The District Project Officer,
Integrated Child Development Services,
2/124, Thyagaraya Road,
Teynampet, Chennai – 18.
- 3.The Project Officer,
Project-9,
Integrated Child Development Services,
No.67/4th Street,
Thiru.Vi.Ka.Nagar,
Perambur, Chennai – 600 011.
- 4.The Pay and Accounts Officer,
Pay and Accounts Office-North,
Singaravelar Maligai,
Collectorate Buildings,
Rajaji Salai,
Chennai – 1.



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5. The Branch Manager,
State Bank of India,
Perambur Branch,
110, Madhavaram High Road,
Perambur,
Chennai – 11.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of declaration declaring that freezing of bank account by the fifth respondent based on the directions of the fourth respondent and withholding of terminal benefits by the respondents 1 to 3 as illegal, arbitrary, unjust and unconstitutional and consequently direct the respondents to pay and settle the petitioner all the terminal benefits, such as General Provident Fund, Special provident fund, Lump sum amount of Rs.1,00,000/- and monthly pension from the date of retirement, with arrears and the amounts which she has spent from her pocket for cooking and preparation of food items, with interest at the rate of 12% per annum and to lift and raise the freezing of an stoppage of the operation of her Savings Bank Accounts No.11191548490 with the fifth respondent branch and to permit her to operate her Savings Bank Account and to withdraw the amounts lying to the credit of the petitioner Savings Bank Account, Award costs.

For Petitioner : M/s.G.K.Dharshini
for V.Ajoy Khose

For Respondents 1 to 3 : Mr.M.Rajendiran,
Additional Government Pleader



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For Respondent 4 : Mr.V.Vijay Shankar

For Respondent 5 : No appearance

ORDER

The present writ petition has been filed to declare that freezing of bank account by the fifth respondent based on the directions of the fourth respondent and withholding of terminal benefits by the respondents 1 to 3 as illegal, arbitrary, unjust and unconstitutional and consequently direct the respondents to pay and settle the petitioner all the terminal benefits, such as General Provident Fund, Special provident fund, Lump sum amount of Rs.1,00,000/- and monthly pension from the date of retirement, with arrears and the amounts which she has spent from her pocket for cooking and preparation of food items, with interest at the rate of 12% per annum and to lift and raise the freezing of an stoppage of the operation of her Savings Bank Accounts No.11191548490 with the fifth respondent branch and to permit her to operate her Savings Bank Account and to withdraw the amounts lying to the credit of the petitioner Savings Bank Account, Award costs.



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2. The case of the petitioner is that she was posted as Anganwadi Worker on 01.03.1993 in the Anganwadi Centre at Melsevoor in Villupuram District. One Mrs.R.Vadivazhagi working as Superintendent in the third respondent office called her over phone and informed that some amounts have been wrongly credited to her saving bank account and hence, the writ petitioner withdraw the said amount. When she asked as to why those amount were credited in her bank account, the aforesaid Mrs.R.Vadivazhagi told that the salary payable to the Chief Development Project Officer of Thiruvallur District was wrongly credited to her bank account.

3. When she was called by the District Project Officer to give evidence in the enquiry conducted against one Mrs.K.Ramani, Supervisor Grade-I ICDS, Project-7, she came to know that the said Mrs.R.Vadivazhagi had indulged in a similar malpractice by crediting the amount to the bank accounts of staffs like her and asking them to withdraw and handover to her directly. While being that so, based on the letter given by the fourth respondent, the fifth respondent froze the bank account of the petitioner on 14.09.2016. Thereafter, the petitioner got retired on 30.09.2018 and she was



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not issued with relieving order and other terminal benefits and monthly pension payable at the rate of Rs.2000/- and lump sum amount of Rs.1,00,000/-. Hence, the petitioner has come forward with the present writ petition.

4. Learned counsel for the petitioner submitted that the petitioner got superannuated on 30.09.2018 and she was paid with G.P.F. for a sum of Rs.30,829/- through ECS on 21.07.2023 and S.P.F for a sum of Rs.19,668/- on 07.02.2024. However, learned counsel for the petitioner further prayed this Court that direction may be issued to the respondents to pay 12% interest per annum for belated payment of benefits and to settle a sum of Rs.1,00,000/- which was withheld by the respondents.

5. Learned Additional Government Pleader appearing for the respondents 1 to 3 submitted that the belated payment of benefits to the petitioner is only due to the pendency of the present writ petition and he vehemently submitted that the petitioner was also involved in the misappropriation. Hence, a sum of Rs.1,00,000/- was withheld by the



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respondents.

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6. Heard the learned counsel on either side and perused the materials available on record.

7. In the case on hand, though the petitioner retired on 30.09.2018, the G.P.F benefits were paid for a sum of Rs.30,829/- on 21.07.2023 and S.P.F. for a sum of Rs.19,668/- dated 07.02.2024. The main contention of the respondents is that due to pendency of the present writ petition, the respondents are not in a position to settle the benefits to the petitioner. **Further, this Court observes that the petitioner is only an Anganwadi Worker and the person responsible for misappropriation is one Mrs.Vadivazhagi, who was the Superintendent in Project-VII, Integrated Child Development. Hence, the petitioner cannot be held responsible for the said misappropriation.**

8. In view of the above submission made by the learned counsel on either side, the Project Officer, Project-VII is directed to pay 6% interest per



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annum for the belated payment of aforesaid amount and the third respondent is also directed to settle a sum of Rs.1,00,000/-, which is withheld by the respondents, within a period of eight weeks from the date of receipt of a copy of this order.

9. This writ petition is disposed of with the above said observation and direction. No costs.

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Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No

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Teynampet, Chennai – 18.

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