



WEB COPY



W.P.No.48505 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.48505 of 2025
and
W.M.P.No.54166 of 2025

V.Tamilselvan

... Petitioner

Vs.

- 1.The Branch Manager,
Canara Bank, Annathanapatti Branch,
Salem.
- 2.The Branch Manager,
Canara Bank, Gugai Branch,
Salem.
- 3.The General Manager,
Canara Bank, Circle Office,
Chennai.
- 4.The Regional Manager,
Canara Bank, Regional Office,
Salem.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to forthwith remove the block by lifting the hold fund imposed on the petitioner's Pension Account No.62962030000614 maintained with Canara Bank, Gugai Branch, Salem, thereby enabling the petitioner to freely withdraw his



W.P.No.48505 of 2025

monthly pension and to restrain the respondents from initiating any coercive recovery proceedings against the petitioner's pension account.

For Petitioner : Mr.M.Malaiyappan
For R1 to R4 : Mr.R.Sreedhar
Additional Government Pleader
(Pondy)

ORDER

The petitioner seeks a direction to the 1st respondent to forthwith remove the block by lifting the hold fund imposed on the petitioner's Pension Account No.62962030000614 maintained with Canara Bank, Gugai Branch, Salem, thereby enabling the petitioner to freely withdraw his monthly pension and to restrain the respondents from initiating any coercive recovery proceedings against the petitioner's pension account.

2.It is the case of the petitioner that he retired as Senior Manager from Syndicate Bank, Regional Office, Salem. Due to the punishment of compulsory retirement, he is drawing only 2/3rd pension amounting to Rs.33,478/- through his pension account maintained with Canara Bank, Gugai Branch, Salem, bearing Account No.62962030000614 with effect from 01.04.2022. Now, the respondents have frozen the petitioner's pension



W.P.No.48505 of 2025

account on the ground that his daughter has borrowed an educational loan from the Syndicate Bank. According to the petitioner, his daughter is drawing a salary of Rs.1,00,000/- from her employment and she continues to enjoy the petitioner's house. Therefore, it is the contention of the petitioner that, freezing of his pension account is not valid and hence, he has filed the present writ petition seeking a direction.

3.Learned Additional Government Pleader appearing for the respondents, on instructions, would submit that, though the petitioner's daughter had borrowed the educational loan, the petitioner is also a co-applicant to the loan. Further, the account has been declared as NPA on 30.01.2025 and the outstanding amount payable by the petitioner's daughter is Rs.7,22,143/-. Therefore, the petitioner's account has been frozen.

4.It is relevant to note that, even assuming that the petitioner is a co-applicant, his pension amount cannot be attached. Admittedly, the pension amount of the petitioner is also being credited to the aforesaid savings bank of the petitioner. It is stated that a monthly pension amount of Rs.33,478/- is credited every month in the savings bank account from the year 2022. As there is a clear statutory bar for attaching the pension, stipend and other



W.P.No.48505 of 2025

gratuities allowed to the pensioners of the Government, the respondents cannot freeze the pension amount of the petitioner.

5. Therefore, let the respondents calculate as to the entire amount of monthly pension credited to the petitioner's account so far from the date of freezing and release the same within a period of one week from the date of receipt of a copy of this order and the petitioner shall be allowed to withdraw that amount. It is made clear that there cannot be any attachment/freezing in respect of the pension amount of the petitioner and the respondents can exercise general lien only on the amount available in the petitioner's account other than the pension amount being credited every month in the account. Even assuming that the petitioner is liable to pay any amount, it is for the respondents Bank to file appropriate proceedings to recover that amount, however, they cannot withhold the pension amount which is credited to the petitioner's savings account.

6. With the above directions, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

17.12.2025

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W.P.No.48505 of 2025

Internet : Yes

Index : Yes / No

Speaking order : Yes / No

Neutral Citation : Yes

To

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N. SATHISH KUMAR, J.

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