



WEB COPY

WP No. 721 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 721 of 2026

S.Vivekanandam

S/o. Sundharamoorthy,

6/116 Nagarathinam pillai street,

Kalattipettai, Sirukalathur,

Kancheepuram district 600 069

..Petitioner(s)

Vs

1. The Government Of Tamilnadu

Rep. by its secretary,

Social Welfare and women empowerment

Department,

Fort St.George, Chennai 09

2. Personal Assistant to District collector

(Noon Meal Scheme),

Office of the District Collector,

Kancheepuram district,

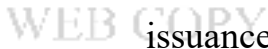
Kancheepuram

3. The Commissioner

Kundrathur panchayat union,

Padapai, Chennai 601 301

..Respondent(s)



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2. Mr.P.Balathandayutham, learned Special Government Pleader takes notice on behalf of the respondents 1 and 2. Mr.V.Veeramani, learned Government Advocate takes notice on behalf of the third respondent. In view of the consent expressed by the learned counsel on either side, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that the petitioner joined service as a Noon Meal Organizer in the year 1983 and retired on 31.05.2022 on attaining the age of superannuation. At the time of retirement, he was entitled to a lumpsum terminal benefit of Rs.1,00,000/- and a monthly pension of Rs.2,000/-. However, based on an audit objection relating to the year 2001-2002, the third respondent withheld a sum of Rs.25,000/- from the lumpsum benefit and paid only Rs.75,000/-. Though the petitioner submitted a representation dated 26.09.2025, seeking refund of the withheld amount, the same has not been considered. Hence, the petition has been filed.

4. The learned counsel for the petitioner submitted that the petitioner joined as a Noon Meal Organizer in 1983 and retired on 31.05.2022. He was entitled to a lumpsum terminal benefit of Rs.1,00,000/- and a meager pension of Rs.2,000/- per month. He submitted that at the time of retirement, Rs.25,000/- was withheld on the basis of audit objection and only Rs.75,000/- was paid. The alleged objection relates to the year 2001-2002, and no action was taken for



nearly 20 years. He submitted that despite representation dated 26.09.2025 and issuance of G.O.Ms.No.3, dated 10.03.2025, canceling audit objections against Noon Meal Organizers, the withheld amount has not been paid. Therefore, the learned counsel prays for allowing of the Writ Petition.

5. The learned Government Advocate appearing for the third respondent submitted that the petitioner, who worked at Nandambakkam Adi Dravidar Welfare School under Kundrathur Panchyat Union, retired on 31.05.2022. It is submitted that audit was conducted for the years 2001-2002 and 2002-2003. As per Audit Paragraph No.24, it was found that centers having more than 500 beneficiaries per day provided food in violation of the Government Orders, resulting in financial loss to the Government. He submitted that for the year 2001-2002, the loss was assessed at Rs.35,430/-. For the year 2002-2003, further loss was assessed and the total amount payable by the petitioner was fixed at Rs.50,037/- He submitted that out of the petitioner's lumpsum terminal benefit of Rs.1,00,000/-, a sum of Rs.25,000/- was withheld and Rs.75,000/- was released. Since the actual amount due from the petitioner is Rs.50,037/-, he is liable to pay the balance amount of Rs.25,037/- to the Government account. Therefore, the withholding of Rs.25,000/- is justified and in accordance with audit findings. Hence, he seeks dismissal of the petition.



6. This Court has considered the rival submissions and perused the materials placed on record.

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7. The audit objections relate to the years 2001-2002 and 2002-2003, wherein it is alleged that food was provided to more than 500 beneficiaries per day in violation of Government orders, resulting in a loss assessed at Rs.50,037/-.

8. Admittedly, no disciplinary proceedings were initiated against the petitioner for nearly two decades. The petitioner was permitted to continue in service till his retirement on 31.05.2022. The amount of Rs.25,000/- was withheld only at the time of retirement from the lumpsum terminal benefit.

9. In the absence of any proceedings fixing liability in the manner known to law and in view of the long lapse of time, the withholding of the retirement benefit cannot be sustained.

10. Accordingly, this Court is inclined to direct the third respondent to release the withheld sum of Rs.25,000/- to the petitioner with interest at 6% per annum from 16.11.2022 till the date of payment, within a period of four (4) weeks from the date of receipt of a copy of this order.



11. This Writ Petition stands disposed of with the aforesaid direction.

There shall be no order as to costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ANU

To

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2. Personal Assistant to District collector
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M.DHANDAPANI, J.

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