



WP(MD)No.4790 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.4790 of 2026

M.Prema

...Petitioner

Vs

1.The Chief Elementary Educational Officer,
Office of the Chief Elementary Educational Officer,
Palakarai,
Trichy – 620 008.

2.The Block Educational Officer,
Office of the Block Educational Office,
Manachanallur,
Trichy.

3.The Secretary,
R.1480, Manachanallur Range Teachers
Co-Operative Thrift and Credit Society Limited,
10, LF, Road Near Kamatchi Hospital,
Manachanallur, Trichy – 621005.

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of certiorarified mandamus calling for the records relating to the impugned order passed by the 3rd respondent dated 25.07.2025 and quash the same and consequently directing the 2nd respondent to pay the retirement benefits to the petitioner.



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For Petitioner : Mr.C.Vakeeswaran
For Respondents : Mr.S.Vinodh,
Nos.1 and 2 Government Advocate
For Respondent : No representation
No.3

ORDER

The petitioner was a secondary grade teacher and she retired from service on 31.07.2025 on attaining the age of superannuation. However, she has not been paid with the retirement benefits due to the surety she gave to one teacher Pazhamudhir Pangi, who had availed loan from the 3rd respondent. It appears that the said teacher has repaid part amount and still there is due to the 3rd respondent. Since the petitioner stood as surety, the 2nd respondent has withheld the retirement benefits due to the petitioner. The 3rd respondent has requested the 2nd respondent not to disburse the retirement benefits, without the petitioner getting no-objection certificate from the 3rd respondent. Aggrieved over the same, the petitioner has filed this writ petition.

2.The petitioner has been denied retirement benefits in view of the surety she gave to a teacher, who has availed loan from the 3rd respondent



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and defaulted in repayment. The said Pazhamudhir Pangi has filed a writ petition before this court in WP(MD)No.4857 of 2017 as against the 3rd respondent and it was disposed of by order dated 27.04.2022 with a direction to her to pay the balance amount in installments and she has also filed a review application in Rev.Applc(MD)No.40 of 2023 and contempt petition in Cont.P(MD)No.887 of 2023 and this court passed a common order dated 03.10.2024 as under:

“2.The Review Application is filed against the order passed in W.P(MD)No.4857 of 2017. The contention of the review applicant / writ petitioner is that this Court directed the writ petitioner to pay the balance amount payable to the society in six installments. But the contention of the writ petitioner / review petitioner is that she has obtained loan from the society as well as various other private loans. And she has to pay other loans and also manage other monthly expenses, hence, it is not feasible to pay the entire amount in six installments. Hence, the review applicant is seeking to modify that portion of the order and the writ petitioner may be permitted to pay Rs.20,000/- per month and the same may be deducted from her salary.



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3. *The Learned Counsel appearing for the society objected for granting such installments. Since the review petitioner would be retiring from service on 30.06.2028. By the time, the entire loan could not complete the installments if the proposed installments are fixed.*

4. *It is revealed from the records that the petitioner has also paid substantial principal amount and the interest portion ought to be paid. The loan outstanding is Rs.4,97,127/- along with interest and further interest as well.*

5. *Considering the facts of the case, this Court is of the considered opinion that the review applicant shall pay Rs.20,000/- per month which would be appropriate fixation of installments. Therefore, the said portion is modified and the review petitioner is directed to pay Rs.20,000/- per month. The employer is Block Educational Officer/4th respondent in review application is directed to deduct Rs.20,000/- per month and remit the same to the Society.*

6. *It is made clear if there are any balance amount payable at the end of retirement, the society is at liberty to recover the same from her retirement benefits, as per Law.*



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7.The Learned Counsel appearing for the petitioner as well as respondents submitted that there are some discrepancies in the calculation. Therefore, both the parties are directed to work out and pay as per Law.

8. With these observations this Review Application is allowed to the extent stated supra. Since the review order is modified, the contempt petition is closed. No Costs. Consequently, connected miscellaneous petition is closed.”

3.The learned counsel for the petitioner by referring to the above order submits that the loanee has given an undertaking that she will repay the balance amount in installments and therefore, there is no necessity to withhold the retirement benefits of the petitioner.

4.Considering the above order passed by this court, the impugned order is set aside with a direction to the respondents to consider the case of the petitioner for payment of the retirement benefits in the light of the undertaking given by the said loanee and also in the light of the above orders of this court, within a period of eight weeks from the date of receipt of a copy of this order.



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5.The writ petition is disposed of in the above terms. No costs.

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DSK

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