



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2026

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.25324 of 2025

and

W.M.P(MD)No.19861 of 2025

N.Muthu

...Petitioner

Vs

1. The Branch Manager,
Canara Bank,
Thamaraipadi Branch,
Dindigul District.

2. The Superintendent,
Settlement Section,
Divisional Railway Manager Office,
Southern Railway Department,
Madurai.

3. The Canara Bank,
Centralised Pension Processing Centre,
Resources Wing, 29,
KR Road, Dwarakanath Bhawan,
Head Office-Annex, Basavanagudi,
Bangalore - 560 004.

*(R3 is suo motu impleaded vide Court order dated
01.12.2025 in WP(MD)No.25324 of 2025)*

...Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned recovery notice issued by the 1st respondent in his proceedings in Ref.No.HO/CPPC/2025-26/Railway dated 05.07.2025 and quash the same as illegal and arbitrary and consequently direct the 1st respondent to continue to pay the monthly Pension amount of Rs.35,688/- to the petitioner without detection.

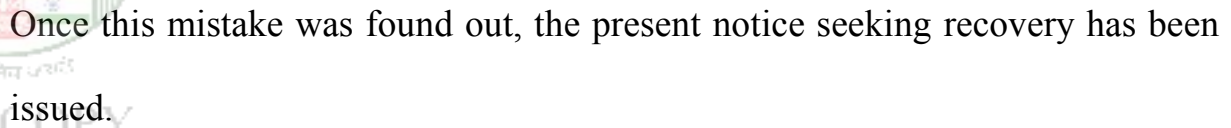
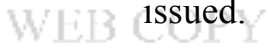
For Petitioner : M/s.G.Gomathisankar

For Respondents : M/s.C.Deepak for R1 and R3
Mr.H.Velavadoss for R2

ORDER

The present writ petition has been filed challenging the recovery notice issued by the first respondent Bank on 05.07.2025 seeking to recover a sum of Rs.11,52,906/-.

2. The petitioner herein is a retired employee of the Southern Railway who is maintaining a pension account with the first respondent Bank. According to the respondent Bank, the petitioner is eligible to receive only a sum of Rs.23,125/- per month as pension. However, by mistake, a sum of Rs.35,688/- was credited during the period between March 2020 and April 2025. This mistake has happened due to merger of Syndicate Bank with the Canara Bank.



4. Per contra, the learned Standing counsel for the respondent Bank relied upon a judgment of the Hon'ble Supreme Court reported in (2012) 8 SCC 417, especially paragraph No.16 which is extracted as follows:-

<https://www.mhc.tn.gov.in/judis>



5. Considering the above said facts, this Court is inclined to pass the following orders:-

a) a sum of Rs.5,000/- (Rupees Five Thousand only) alone shall be recovered from the pension account of the writ petitioner every month during his life time;

b) during the disbursement of family pension, a sum of Rs.2,500/- (Rupees Two Thousand Five Hundred only) per month alone can be recovered;

c) the Bank shall not be entitled to recover any interest for the sum of Rs.11,52,906/-;

d) The petitioner shall be permitted to operate his account after retaining the above said sum; and

e) the recovery shall start from January 2026 onwards.

6. With the above said observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

05.01.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To



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R.VIJAYAKUMAR, J.

RJR

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