

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.21055 of 2015

P.Aravazhi Amalan

... Petitioner

-Versus-

1.Government of Tamil Nadu,
Rep. By its Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Fort St. George,
Chennai 600 009.

2.The Director of Adi Dravidar Welfare,
Chepauk,
Chennai 600 005.

3.The Dirstrict Adi Dravidar and Tribal
Welfare Officer,
Thanjavur,
Thanjavur District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus, directing the respondents to pay interest for the belated disbursement of retirement benefits i.e., (i) commuted value of pension of Rs.1,41,113/- settled on 12.06.2007 (ii) pension arrears of Rs.3,29,995/- settled on 10.09.2007 (iii) Unearned leave on private affairs of Rs.4,135/- settled on 21.02.2008 and (iv) Earned leave of Rs.3,181/- on 21.02.2008 together interest at the rate of 08% per annum from the date of retirement of the petitioner till the respective date of disbursement of retirement benefits to the petitioner as per the proceedings in Na.Ka.No.8125/2006/Ma7 dated 21.03.2013 and in the light of the representation made by the petitioner on 25.11.2013.

For petitioner : Mr.S.Mani

For Respondents : Mr.S.Navaneethan, AGP

ORDER

The petitioner is a retired B.T. Assistant. He retired from service on 30.04.1998 on attaining the age of the superannuation. According to the petitioner, though he retired from service as early as in the year 1998, he was settled with the

terminal benefits belatedly on various dates between June 2007 and February, 2008. He made a claim for interest for the belated settlement of terminal benefits. The grievance of the petitioner is that though he made a representation to the respondents on 21.03.2013 in this regard, there has been no response. Hence, the petitioner is now before this court with this writ petition.

2. I have heard Mr.S.Mani, the learned counsel for the petitioner and Mr.S.Navaneethan, the learned Additional Government Pleader, who takes notice for the respondents and also perused the records carefully.

3. It is seen from the records that earlier a proposal was sent for payment of interest in respect of the period covered between the date of settlement of pension to till date, instead of interest from the date of retirement till date of settlement of terminal benefits. Now, the 3rd respondent has sent a revised proposal to the 2nd respondent calculating the interest from the date of retirement to the date when terminal benefits were settled. The said proposal is enclosed at page 9 of the typed set of papers.

4. Considering the limited scope of the prayer and taking into account the submissions made on either side, without going into the merits of the claim made by the petitioner, this court directs the 2nd respondent to consider the representation made by the petitioner on 25.11.2013 on merits and in accordance with law and pass appropriate orders on the same in the light of the proposal submitted by the 2nd respondent within a period of four weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

kmk

To

- 1.The Secretary to Government, Adi Dravidar and Tribal Welfare Department, Fort St. George, Chennai 600 009.
- 2.The Director of Adi Dravidar Welfare, Chepauk, Chennai 600 005.
- 3.The District Adi Dravidar and Tribal Welfare Officer, Thanjavur, Thanjavur District.

- 1 cc to Mr.S.Mani , Advocate Sr.No.35462
1 cc to Government Pleader.Sr.No.35721

W.P.No.21055 of 2015

vsn(co)
pmk.7.8.2015