



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.10.2015

CORAM :

THE HONOURABLE MR.JUSTICE R.SUDHAKAR

and

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Writ Appeal (MD) No.1079 of 2015
and MP(MD) No.2 of 2015

1.The Secretary to Government
Revenue Department,
Secretariat, Chennai - 600 009.

2.The District Collector,
Sivagangai District, Sivagangai.
Vs.

.. Appellants/Respondents

S.Arockiasamy

... Respondent/Petitioner

Writ Appeal filed under Section 15 of Letters Patent Act against the order dated 25.06.2014 passed in WP(MD)No.11758 of 2010 by this Court.

Prayer in WP(MD). 11758/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, for the issue of a WRIT OF MANDAMUS, directing the Respondents to make payment of interest of 18% for the delayed payment of D.C.R.G. from the date of superannuation till the date of actual payment as per the law laid down by the Hon'ble Supreme Court.

For Appellants : Mr.M.Alagathevan
Spl.Govt.Pleader

For Respondent : Mr.S.Visvalingam

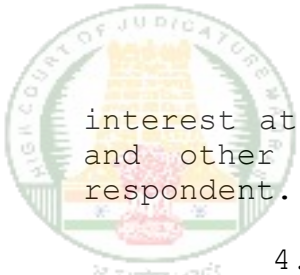
JUDGMENT

(Judgment of the Court was delivered by **R. SUDHAKAR, J.**)

This writ appeal is directed against the order passed by the learned single Judge in WP(MD)No.11758 of 2010, dated 25.06.2014.

2.The prayer in the writ petition is to direct the appellants/respondents to make payment of interest at 18% for the delayed payment of DCRG from the date of superannuation till the date of actual payment.

3.The writ petition is of the year 2010 and it was disposed of in the year 2014 by the learned Single Judge. The learned Single Judge relying upon the decision of the Supreme Court reported in **(2001) 9 SCC 687 (Vijay L.Mahrotra Vs. State of U.P.)** directed the appellants to pay



interest at the rate of 10% per annum for the belated payment of pension and other terminal benefits, till the date of realisation by the respondent.

4. We find no reason to interfere with the order of the learned Single Judge. More so the reason for the delay now raised before this Court was not raised before the learned Single Judge despite sufficient opportunity given to the appellants to explain the same. We are not inclined to entertain this writ appeal afresh on the issue which is never raised or agitated before the learned Single Judge. Hence, this writ appeal is dismissed. No costs. Connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar (Per. Admn)

/True Copy/

Sub Assistant Registrar

mj

TO,

1. The Secretary to Government
Revenue Department,
Secretariat, Chennai - 600 009.

2. The District Collector,
Sivagangai District, Sivagangai.

+1CC to Mr. S. Visvalingam Advocate Sr. No. 62719

+1CC to Spl. Government Pleader Sr. No. 63149

GJM/JGB/DP/6.11.15-2P-5C

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