



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A. (MD) No.1180 of 2017

WEB COPY

R.Kundumalai

... Appellant/Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Finance (Pension) Department,
Fort St.George,
Chennai-600 009.

2.Principal Chief Conservator of Forests,
Panagal Building,
Chennai-600 015.

3.The Forest Extension Officer,
Karur Extention Division,
Karur District, Karur.

4.The Principal Accountant General,
The Principal Accountant General of Tamil Nadu,
Teynampet
Chennai-18.

... Respondents/Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letter Patent, to set aside the order passed in W.P.(MD)No.15611 of 2015 dated 05.10.2015 in so far as the declining the orders for payment of interest and allow the said writ petition as prayed.

Prayer in WP(MD). 15611/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records of the 3rd Respondent herein in his proceedings in Na.Ka.No.355/2013 dated 29.10.14, 05.03.15 and 11.08.2015 quash the same and direct the Respondents to pay the retirement benefits including pension benefits with interest at the rate of 18% from the date of retirement to till the date of settlement to the Petitioner.

For Appellant

: Mr.G.Chandrasekar

For Respondents 1 to 3

: Mr.M.Govindan

Special Government Pleader

**JUDGMENT**

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

This writ appeal is directed against the order dated 05.10.2015 made in W.P.(MD)No.15611 of 2015 filed by the appellant himself.

2.The writ petitioner filed the said writ petition for payment of his retirement and pensionary benefits. The said writ petition was allowed on 05.10.2015 itself. But it appears that the order made in the writ petition was not complied with immediately. There has been a delay of several months in making the payment. The appellant is therefore right in his submission. He ought to have been awarded with the interest also.

3.We therefore partly allow this writ appeal directing the respondents to pay interest at the rate of 7.5% from the date of order in the writ petition i.e. 05.10.2015 till the date of disbursement of the benefits payable to the appellant. The said amount shall be paid within four months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar(CS-I)

/True copy/

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Finance (Pension) Department,
Fort St.George,
Chennai-600 009.
- 2.Principal Chief Conservator of Forests,
Panagal Building,
Chennai-600 015.
- 3.The Forest Extension Officer,
Karur Extention Division,
Karur District, Karur.

+1cc to Mr.G.CHANDRASEKAR,Advocate,SR.77029

+1cc to M/S.Special Government Pleader,SR. 77929

W.A. (MD) No.1180 of 2017
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RMI

KK/GT/SAR 2/27.09.2017/2P- 6C/