



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P. (MD) No.14549 of 2018

M.Mookkan : Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Chennai.

2.The Director of Elementary Education,
Chennai.

3.The Joint Director of School Education (Personnel),
Chennai.

4.The District Educational Officer,
Cheranmahadevi at Tirunelveli,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pay interest for the belated payment of pension benefits at the rate 24% per annum to the petitioner by considering the petitioner's representation dated 02.03.2017 and subsequent reminder dated 19.01.2018.

For Petitioner : Mr.V.Panneer Selvam
For Respondents : Mrs.S.Srimathy,
Special Government Pleader

ORDER

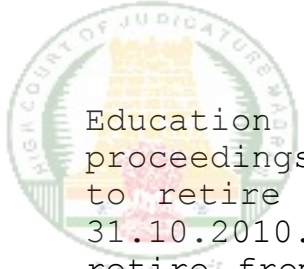
The petitioner has come forward with the present Writ Petition seeking for the issuance of a Writ of Mandamus, directing the respondents to pay interest for the belated payment of pension benefits at the rate of 24% per annum to the petitioner, by considering his representation dated 02.03.2017 and the subsequent reminder dated 19.01.2018.

2. Mrs.S.Srimathy, learned Special Government Pleader, takes notice on behalf of the respondents.

3. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/>

4. The petitioner was working as a Superintendent in the



Education Department and due to the pendency of disciplinary proceedings, he was placed under suspension and he was not permitted to retire from service on attaining the age of superannuation on 31.10.2010. After exoneration from the charges, he was allowed to retire from service in the year 2010. However, pensionary benefits were disbursed only in the year 2016. Relying on the judgment of a Division Bench of this Court in Government of Tamil Nadu v. M.Deivasigamani [2009(3) MLJ 1], the petitioner made a representation for payment of interest on belated payment of pension. The representation dated 02.03.2017 and the subsequent reminder dated 19.01.2018 are lying without any consideration. Hence, the petitioner is before this Court for a direction to the respondents to consider the representation for payment of interest.

5. Considering the facts and circumstances of the case, without going into the merits of the case, a direction is given to the respondents to consider and dispose of the representation made by the petitioner dated 02.03.2017 and the subsequent reminder dated 19.01.2018 on merits and in accordance with law and also in the light of the judgment reported in 2009(3) MLJ 1 [Government of Tamil Nadu v. M.Deivasigamani], within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True copy/

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat, Chennai.
 - 2.The Director of Elementary Education,
Chennai.
 - 3.The Joint Director of School Education (Personnel),
Chennai.
 - 4.The District Educational Officer,
Cheranmahadevi at Tirunelveli,
Tirunelveli District.
- +1cc to Mr.V.Panneer Selvam, Advocate, SR.No.71851.

Order made in
W.P. (MD) No.14549 of 2018
Dated: 06.07.2018