



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.10101 of 2013

T.N.Pranatharthi Haran

... Petitioner

-vs-

1.The Accountant General (A&E),
Chennai - 600 108.

2.The Joint Director of Collegiate Education,
Madurai Region, Shenoy Nagar,
Madurai-625 020.

3.The Principal and Secretary,
The American College,
Madurai- 625 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay the interest at the rate of 12% per annum for the belated payment of the pension and retiral benefits for the period from 5.12.2008 to 22.3.2013 to the Petitioner.

For Petitioner : M/s.N.Sathish Babu
For Respondent-1 : Mr.P.Gunasekaran
For Respondent-2 : Mr.R.Sethuraman
& Respondent-3 : Special Govt.Pleader

O R D E R

The grievances of the Writ Petitioner is that the interest for the period of settlement of pensionary benefits are not granted to him.

2.The Writ Petitioner was allowed to retire from service on 5.12.2008 on Voluntary Retirement from Service. However, there is a delay even in sending the proposal by the competent authority. The pension was settled only on 22.03.2013 and therefore, the Petitioner claims that interest as applicable under Rules for belated settlement of the terminal benefits ought to have been settled along with pensionary benefits.

3.If there is an administrative delay on the part of the competent authorities in respect of settlement of terminal benefits, then the employee is entitled to get the admissible interest as per the Rules.

4.Thus, the second respondent is directed to consider the representation submitted by the Petitioner on 6.5.2013 and pass orders on merits and in accordance with law within a period of 12



weeks from the date of receipt of a copy of this order. The Writ Petitioner is directed to enclose a copy of the representation and the documents, if any, along with a copy of this order to the second respondent, for further action.

5. Accordingly, the Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/
Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

1.The Accountant General (A&E),
Chennai - 600 108.

2.The Joint Director of Collegiate Education,
Madurai Region, Shenoy Nagar,
Madurai-625 020.

3.The Principal and Secretary,
The American College,
Madurai- 625 002.

+1cc to Mr.P.Gunasekaran, Advocate, SR.No. 52162
+1cc to Mr.N.Sathish babu, Advocate, SR.No.52054
+1cc to M/s.Special Government Pleader, SR.No. 52501

W.P. (MD) No.10101 of 2013
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vsn
KK/CVC/14.03.2018/SAR-4/2P-7C