

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W.A.No.848 OF 2019

1 THE COMMISSIONER
CORPORATION OF CHENNAI RIPON BUILDINGS
CHENNAI - 600003 ... appellant

Vs

1 J.BALAKRISHNAN
2 THE GOVERNMENT OF TAMIL NADU
REP BY THE SECRETARY TO GOVERNMENT
MUNICIPAL ADMINISTRATION AND WATER SUPPLY
DEPARTMENT FORT ST.GEORGE
CHENNAI - 600009 ... respondents

Appeal filed to set aside the order dated 14/12/2018 made in WP.NO.32607/2018 filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, to direct the respondents to pay interest on the belated payment of DCRG to the petitioner for the period from 31.05.2011 to 19.06.2018.

For appellant : Dr.C.Ravichandran

For 1st Respondent : Mr.P.Rajendran

J U D G M E N T
सत्यमेव जयते

(made by K.K.SASIDHARAN, J.)

The learned Single Judge taking into account the long delay in disbursing the Death cum Retirement Gratuity, directed the Chennai Corporation to pay interest @ 9% p.a. for the period from 31 May 2011 to 19 June 2018. The said order is under challenge at the instance of the Chennai Corporation.

2. When the intra court appeal was taken up for hearing on 8 April 2019, taking into account the submission made by the learned counsel for the Corporation that the liability is to pay interest only from 20 December 2013 to 19 June 2018 and the

concession given by the learned counsel for the 1st respondent that the 1st respondent would claim interest only for the said period, we directed the Corporation to take a demand draft and produce before us today.

3. When the appeal is taken up for hearing today, the learned Standing counsel for the Chennai Corporation produced a cheque for a sum of Rs.2,01,735/- in full and final satisfaction of the claim made by the 1st respondent.

4. In view of the settlement arrived at among the Corporation and the 1st respondent with regard to the period of delay and payment of the interest for the admitted period, there is no need for a further adjudication of the issue raised in this intra court appeal.

5. The intra court appeal is disposed of with the above observation. No costs. Consequently, C.M.P.No.6569 of 2019 is closed.

Sd/-

Assistant Registrar (CS-V)

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Sub Assistant Registrar

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To

1. THE SECRETARY TO GOVERNMENT
THE GOVERNMENT OF TAMIL NADU
MUNICIPAL ADMINISTRATION AND WATER SUPPLY
DEPARTMENT, FORT ST.GEORGE,
CHENNAI - 600009

2.1 THE COMMISSIONER
CORPORATION OF CHENNAI, RIPPON BUILDINGS
CHENNAI - 600003

+1 cc to Dr.C.Ravichandran, Advocate, S.R.No.42376

W.A.No.848 OF 2019

PPA(CO)
SSM(21/06/2019)