

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.18010, 18014 of 2019

K.Manian .. Petitioner in W.P.18010 of 2019

A.Manimegalai .. Petitioner in W.P.18014 of 2019

Vs

1. The Secretary to Government,
School Education Department,
Fort St. George,
Chennai 600 009.
2. The Director of Elementary Education,
Nungampakkam, Chennai - 6.
3. The District Educational Officer,
Tiruvannamalai, Tiruvannamalai District.
4. The Block Educational Officer,
Tiruvannamalai, Tiruvannamalai District.
5. The Correspondent/Secretary,
ChinnaGangiyanoor,
Pallikondapattu Post,
Tiruvannamalai District. .. Respondents in both WP's

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to grant of interest at the rate of 12% for belated payment of retirement benefits and pensionary benefits.

For Petitioner : Mr.V.Thirupathi
in both cases

For Respondents: Ms.P.Kavitha, Government Advocate
in both cases

C O M M O N O R D E R

The prayer sought for herein in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents to grant of interest at the rate of 12% for belated payment of retirement benefits and pensionary benefits.

2. The case of the petitioner is that the petitioner in W.P.No.18010 of 2019 joined as Secondary Grade Teacher in the year 1978 and retired on 30.06.2009 and the petitioner in W.P.No.18014 of 2019 joined as Secondary Grade Teacher in the year 1978 and retired on 30.11.2007. Even after the retirement the retirement benefits was not paid to the petitioner. Hence the petitioner filed the writ petition before this Court and passed order in W.P.Nos.3290, 3291 of 2010 by an order dated 03.08.2017 i.e., issue a direction for payment of pensionary benefits to the petitioner. Thereafter, on 08.12.2017 the said order to the 5th respondent after receipt of representation and the order of this Court the 5th respondent sanctioned the pension benefits on 17.07.2018 and 18.05.2018. The petitioner made a representation for payment of interest for the delayed payment of retired benefits. As against the present writ petition filed.

3.The learned counsel for the petitioner would submit that the petitioner entitle to receive the interest on belated payment accordingly prayed for alleging writ petition.

4.Considering the facts and circumstances of the case, that the petitioner retired in the year 2009 and 2007 respectively and based on this Court direction the retirement benefits were settled on 17.07.2018 and 18.05.2018 and thereafter the petitioners made representation and thereafter filed present writ petitions to pay interest on belated payment. However, there is no details provided before this Court in which provision the petitioners are entitled for interest for belated payment. Without any details, this Court cannot issue any direction to pay interest on belated payment.

5.Accordingly, the writ petitions are dismissed. No costs.

-s/d-

Assistant Registrar(CCC)

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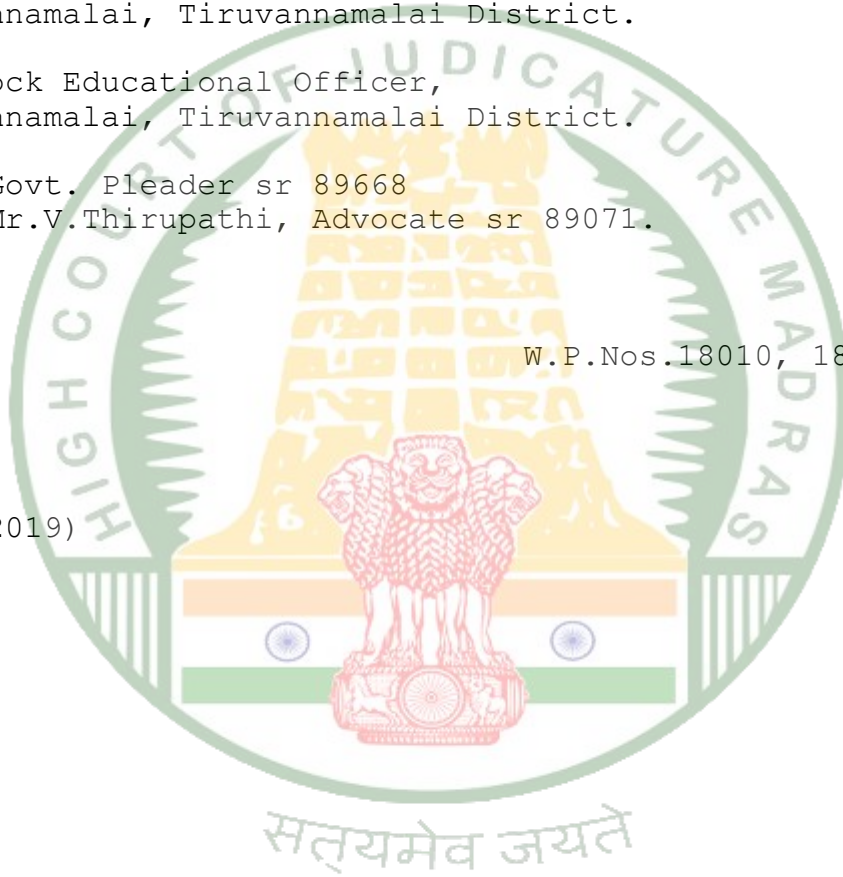
Sub-Assistant Registrar

To

1. The Secretary to Government,
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 4. The Block Educational Officer,
Tiruvannamalai, Tiruvannamalai District.
- +1 CC to Govt. Pleader sr 89668
+1 CC to Mr.V.Thirupathi, Advocate sr 89071.

W.P.Nos.18010, 18014 of 2019

SP (21/11/2019)



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