

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.02.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.1922 of 2018
and
W.M.P.No.2392 of 2018

S.Mahalingam

... Petitioner

..Vs..

1.The Chairman and Managing Director,
Tamil Nadu Handloom Weavers Co-op Societies Ltd.,
No.350, Pantheon Road,
Egmore, Chennai - 600 008.

2.The Regional Manager,
Tamil Nadu Handloom Weavers Co-op Societies Ltd.,
Behind Head Office,
No.350, Pantheon Road,
Egmore, Chennai - 600 008.

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dt.11.10.2017 for payment of Rs.9,88,032/- (Rupees Nine Lakhs Eighty Eight Thousand and Thirty Two only) towards interest for inordinate delay in payment of salary arrears, terminal benefits etc., to the petitioner.

For Petitioner : Mr.S.Stalin Muthu

For Respondents: Mr.K.Rangesh
for M/s.Jayaraman Associates

O R D E R

The grievances of the writ petitioner is that, though he has allowed to retire from service on the date of superannuation on 28.02.2011, the pensionary and terminal benefits due to be paid was paid belatedly.

2.The learned counsel for the writ petitioner states that the other service benefits including the Selection Grade Salary and other consequential benefits were also not paid within the time limit. On account of an inordinate delay in settlement of service benefits, the petitioner claims that he is entitled for

interest. Undoubtedly, the employer has to settle the monetary benefits within a reasonable period of time, in the event of inordinate delay on part of writ petitioner in settling the service benefits the employee is entitled to claim interest for belated payment. However, the details of the delay are already submitted by the writ petitioner by way of representation dated 11.10.2017.

3. Under these circumstances, without going into the merits of the matter, the second respondent is directed to consider the representation submitted by the writ petitioner on 11.10.2017 and pass final 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 the copy of representation and all other relevant documents, if any, along with the order passed in the present writ petition.

4. Accordingly, the present writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

Pns

To

1. The Chairman and Managing Director,
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2. The Regional Manager,
Tamil Nadu Handloom Weavers Co-op Societies Ltd.,
Behind Head Office,
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+1 CC to Mr. Jayaraman & Associates sr 12227.

+1 CC to Mr. S. Stalin Muthu, Advocate sr 12587.

W.P.No.1922 of 2018
and
W.M.P.No.2392 of 2018

MR(CO)
SP(06/03/2019)