



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :07.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.24012 of 2019

S.Deivasigamani

..Petitioner

vs

The Government of Tamilnadu represented by
the Secretary to the Government,
Health and Family Welfare Department,
Fort St.George, Chennai - 600009.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus, to
direct the respondent to sanction interest for the belated
payment of commutation of pension with further interest till the
actual date of payment.

For Petitioner

: Mr.J.Lakshmi Narayanan

For Respondents

: Mr.R.S.Selvam
Government Advocate

O R D E R

The prayer sought for in this Writ Petition is to direct
the respondent to sanction interest for the belated payment of
commutation of pension with further interest till the actual
date of payment.

2. By consent of both the parties, the Writ Petition has
been taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he was working as
Junior Administrative Officer and retired in the year 1999 on
his superannuation. His retirement benefits were settled only
after ten years. The petitioner made representation on
27.06.2019 to pay him the interest for the belated payment of
commutation of pension. The said request was not considered.
Hence, the present Writ Petition has been filed.



4. The learned counsel for the petitioner would submit that the petitioner was retired from the service in the year 1999 and his retirement benefits were settled only in the year 2009, after a lapse of ten years. Therefore, the petitioner made representation on 27.06.2019 seeking interest for the belated payment of commutation of pension. However, till date the said representation was not considered. He would further submit that it would be suffice to issue direction to the respondent to consider and dispose of the representation dated 27.06.2019 on merits and in accordance with law.

5. Heard the counsel and perused the records.

6. The petitioner retired from the service in the year 1999 and in the year 2009, the entire retirement benefits were settled to the petitioner. However, the present Writ Petition is filed in the year 2019 claiming the interest for the belated payment which were settled in the year 2009 itself. The petitioner has not given any reason for the delay in approaching this Court. The petitioner has filed this Writ Petition after a lapse of 10 years and there is no provision available in the service rules for providing interest for the belated payment of commutation of pension.

7. Considering the facts and circumstances of the case that no provision is available for providing the interest for belated payment of commutation of pension and the delay of 10 years in approaching this Court, I am not inclined to issue direction to the respondent to consider the representation.

8. Accordingly, the Writ Petition is dismissed on the grounds of laches. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

The Secretary to the Government,
Health and Family Welfare Department,
Fort St.George, Chennai - 600009.

WEB COPY

+1 cc to M/s.J.Lakshminarayanan Advocate sr92608

+1 cc to the Government Pleader sr93040

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