BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.14867 of 2014

S.Devarajalu ... Petitioner

vs.

1.The Director of Treasuries and
Accounts Department
Saidapet, Chennai-15

2.The Treasury Officer
District Treasury
Thanjavur-1 ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the Respondents herein to pay 12% interest on petitioner's retirement benefits for the period between date of retirement and date of payment of such retirement benefits within a stipulated period based on petitioner's representation dated 11.08.2014.

For Petitioner : Mr.K.N.Govardhanan

For Respondents : Mr.S.Dhayalan
Government Advocate

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents to pay 12% interest on writ petitioner's retirement benefits for the period between the date of retirement and date of payment of such retirement benefits, within a stipulated period.

2. Though the relief sought for in the present writ petition is general in nature, the period for which the writ petitioner claims interest has not been stated clearly in the prayer. However, the writ petitioner served as Assistant Treasury Officer and retired from service on attaining the age of superannuation on 30.06.2013.

3. The learned Government Advocate appearing for the respondents states that the writ petitioner reached the age of

superannuation on 30.06.2013 and all his terminal and pensionary benefits were settled on 07.02.2014, within a period of nearly seven months.

4. In view of the fact that the terminal and retirement benefits due to the writ petitioner were settled within a period of nearly seven months, there was no administrative delay entitling the writ petitioner to claim interest for belated payment. The delay of nearly seven months for settlement of pensionary benefits is an acceptable one in view of the fact that the competent authorities have to submit pension proposal and the same is to be approved by the Accountant General of Tamil Nadu. Thus, the fact remains that the proposal was submitted on 05.09.2013 by the competent authorities and the settlement of pensionary benefits was made on 07.02.2014. Thus, there was no enormous delay on the part of the administration in settling the terminal and pensionary benefits. Under these circumstances, the writ petitioner has not made out any acceptable legal grounds for the purpose of grant of interest.

5. Accordingly, the writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To:
1.The Director of Treasuries and
Accounts Department,
Saidapet, Chennai-15.

2.The Treasury Officer,
District Treasury,
Thanjavur-1.

+1 CC to M/s.SPL GP (SR-84215[F] dated 29/08/2019)

W.P.(MD) No.14867 of 2014
28.08.2019

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