



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P. (MD) No.12597 of 2015

M.Kathirvel

... Petitioner

Vs.

1. Tamil Nadu Civil Supplies Corporation
Rep by its Managing Director,
12, Thampusamy Road,
Kilpauk, Chennai-600 010.

2. The Regional Manager,
Tamilnadu Civil Supplies Corporation
Tamilnadu Civil Supplies Corporation Building,
Anna Nagar, Madurai.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to pay interest for the delayed reimbursement of retirement benefits of Rs.3,08,479/-.

For Petitioner : Mr.A.Satheesh Kumar
For Respondents : Mr.S.Ramasamy

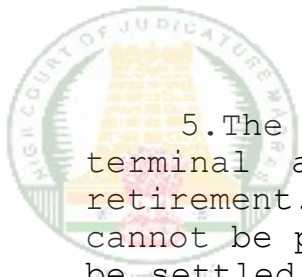
ORDER

The relief sought for in the present writ petition is to direct the second respondent to pay interest for the belated settlement of retirement benefits to the writ petitioner.

2.The writ petitioner was working as Assistant Manager (Quality Control) in the office of the second respondent and retired from service on 31.05.2010. In spite of the fact that the writ petitioner approached the respondent for settlement of terminal and retirement benefits, there was an enormous delay in settling the benefits to the writ petitioner.

3.The learned counsel appearing on behalf of the writ petitioner states that the respondents took about 10 years for settling the terminal and pensionary benefits and therefore, the petitioner is entitled for interest.

4.The learned counsel for the respondents opposed the contention by stating that there was an unavoidable administrative delay and therefore, the petition is to be dismissed.



5.The fact remains that there was no impediments to settle the terminal and pensionary benefits to the petitioner, after his retirement. Because of the administrative delay, the petitioner cannot be penalized. For the terminal and pensionary benefits are to be settled immediately on retirement as it is the livelihood of the employees. After retirement the delay occurred due to the administrative reasons and therefore, the respondents are bound to pay interest for the belated settlement of terminal and pensionary benefits. The Courts have repeatedly held that in the event of belated payment, the employees are entitled for interest and therefore, the respondents are directed to pay interest for the belated settlement of terminal benefits to the writ petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order. The writ petitioner is permitted to submit details for the purpose of calculating the interest to the respondents. No costs.

Sd/-

Assistant Registrar (T&P)

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/ /2020

Sub Assistant Registrar(CS)

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To

1. The Managing Director,
Tamil Nadu Civil Supplies Corporation
12, Thampusamy Road,
Kilpauk, Chennai-600 010.
2. The Regional Manager,
Tamilnadu Civil Supplies Corporation
Tamilnadu Civil Supplies Corporation Building,
Anna Nagar, Madurai.

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MJ(CO)

CS(30.12.2020) 2P 3C