



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 16.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.26496 of 2021

Prof. S.A. Abbasi

... Petitioner

Vs.

1. The Pondicherry University
rep. by The Registrar
Pondicherry University
Puducherry.

2. The Dean
School of Engineering & Technology
Pondicherry University
Puducherry

3. The Dean (Research)
Pondicherry University,
Puducherry

4. The Head
Centre for Pollution Control &
Environmental Engineering
Pondicherry University
Puducherry.

5. Dr. Chandra Krishnamurthy

... Respondents

Prayer: Writ petition filed under Section 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents 1 to 4 to pay interest at the rate of 12% per annum for the belated payment of retirement benefits, including EL encashment, gratuity and CPF of the petitioner from the date of retirement i.e 01.06.2015 till the date of payment.

For Petitioner : Mr.R.Saravanan

For Respondents : Mr.M. Ravi for R1



ORDER

This writ petition has been filed seeking direction to the respondents 1 to 4 to pay interest at the rate of 12% per annum for the belated payment of retirement benefits, including EL encashment, gratuity and CPF of the petitioner from the date of retirement i.e 01.06.2015 till the date of payment.

2. The case of the petitioner in brief:

The petitioner was working as a professor in the Centre for Pollution Control & Environmental Engineering, Pondicherry University and was retired on Superannuation on 30.06.2015. According to the petitioner, there was no inquiry nor any court case pending against him, however, he was driven from pillar to post, without paying the retirement benefits for about six years. Only after issuing legal notice on 17.02.2021, retirement benefits have been paid on 01.09.2021. However, no interest was paid for the belated payment of retirement benefits, including E.L encashment, gratuity and CPF of the petitioner. Hence this petition, seeking interest at the rate of 12% p.a. on the above belated payments.

3. The learned counsel appearing for the petitioner had retired from service on Superannuation on 01.06.2015, however, retirement benefit was paid only on 01.09.2021, after six years. He further submitted that the petitioner is entitled to get interest on the belated payment and hence, appropriate direction may be issued to the respondents to pay interest on the belated payments.

4. The learned counsel appearing for the Pondicherry University submitted that the petitioner has given a legal notice for payment of interest to the University and if the petitioner make a fresh representation, the same shall be considered by the University, within a time frame, as fixed by this court.

5. Recording the above submission made by the learned counsel appearing for the University, this court is inclined to pass orders at the admission stage itself.

6. Accordingly,

i) The petitioner is directed to give a fresh representation to the concerned Department of the University, seeking interest on the belated payments, within one week from the date of receipt of a copy of this order.



ii) On such representation being made by the petitioner, the same shall be considered by the University and pass appropriate orders in accordance with law, on its own merits, within a period of six months from the date of receipt of the representation.

7. With the above directions, this writ petition is disposed of. No Costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

mst
To

1. The Registrar,
Pondicherry University,
Pondicherry University,
Puducherry.
2. The Dean,
School of Engineering & Technology,
Pondicherry University,
Puducherry.
3. The Dean (Research),
Pondicherry University,
Puducherry.
4. The Head,
Centre for Pollution Control &
Environmental Engineering,
Pondicherry University,
Puducherry.

+1cc to M/s.T.Saikrishnan, Advocate Sr.67443

W.P.No.26496 of 2021

rsi[co]
srg 27/01/2022