



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.2209 of 2021

S.Sathiah

... Petitioner

Vs

1.The Additional Chief Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 600 009.

2.The Principal Secretary/
Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai - 600 005.

3.The District Collector,
Ramanathapuram District,
Ramanathapuram.

4.The Revenue Divisional Officer,
Ramanathapuram Division,
Ramanathapuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to directing the 1st respondent i.e. The Additional Chief Secretary to Government , Revenue Department Chennai to pass appropriate orders on the petitioners representation, dated 19.03.2020, regarding payment of interest for belated payment of Arrears of Pension, DCRG, Commutation of Pension, Encashment of Leave Salary from the date of superannuation till the date of actual payment, within a specified time frame they may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.P.Kannithevan

Additional Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Aggrieved against the belated settlement of the terminal benefits to the petitioner, he has claimed interest on the belated payment in this Writ Petition.

3.In this regard the Hon'ble Supreme Court in the case of **Vijay L. Mahrotra Vs. State of Uttar Pradesh** reported in **(2001) 9 SCC 687**, held that when the retirement benefits are not paid on the date of retirement are soon after, the retiree would be entitled for



interest on the belated payment.

4.This Court is of the view that the respondents could be directed to pay the interest on the belated payment, at the rate of 6% per annum, as ordered in the above Writ Petition.

5.In this background, there shall be a direction to the respondents to pay the interest to the petitioner at the rate of 6% per annum on the belated payment of the retirement benefits, commencing from the date of retirement, till the date of actual disbursement, within a period of three months from the date of receipt of a copy of this order.

6.This Writ Petition stands allowed in accordance with the above terms. No costs.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Additional Chief Secretary to Government,
Revenue Department, Secretariat,
Chennai - 600 009.
 - 2.The Principal Secretary/ Commissioner of Revenue Administration,
Ezhilagam, Chepauk, Chennai - 600 005.
 - 3.The District Collector, Ramanathapuram District,
Ramanathapuram.
 - 4.The Revenue Divisional Officer,
Ramanathapuram Division, Ramanathapuram.
- +2 CC to M/s.S.VISVALINGAM, Advocate (SR-3878[F] dated 09/02/2021)
(SR-4708[F] dated 12/02/2021)
+1 CC to M/s.GP (SR-4255[F] dated 10/02/2021)

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