



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.6105 of 2021

D.Stephen Jeyson

... Petitioner

Vs

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
Fort St.George,
Chennai-9.
- 2.The Director of School Education,
College Road,
Chennai-6.
- 3.The Accountant General (A&E),
O/o. The Accountant General (A&E) Office,
Chennai-18.
- 4.The District Education Officer,
O/o. The District Education Office,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to pay the petitioner towards interest for the belated payment of Gratuity by considering the petitioner's representation dated 23.11.2020 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.A.Thiyagarajan
Government Advocate

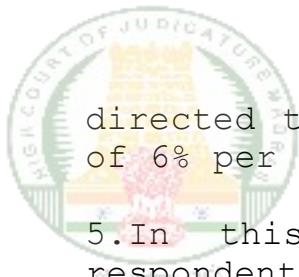
O R D E R

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.The 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 (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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.

CP

To

1. The Principal Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St. George,
Chennai-9.
2. The Director of School Education,
College Road,
Chennai-6.
3. The Accountant General (A&E),
O/o. The Accountant General (A&E) Office,
Chennai-18.
4. The District Education Officer,
O/o. The District Education Office,
Tuticorin District.



+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-12394[F] dated 19/03/2021)

+1 CC to M/s.SPL GP (SR-12493[F] dated 19/03/2021)

WEB COPY

**Order made in
W.P. (MD) No.6105 of 2021
18.03.2021**

GS (22.04.2021) 3P 7C