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W.P.(MD) No.6696 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.03.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD) No.6696 of 2021

A.Baskaran

...Petitioner

Vs.

1.The Government of Tamilnadu,
represented by its Principal Secretary,
Handlooms, Handicrafts, Textiles and Khadi Department,
Secretariat,
Chennai 600 009.

2.Director of Handlooms and Textiles,
Kuralagam,
2nd Floor,
Chennai 600 108.

3.The Assistant Director of Handlooms and Textiles,
No.25C, Vth Lane,
Nagalpudur,
Nagal Nagar,
Dindigul 624 003,
Dindigul District.

... Respondents

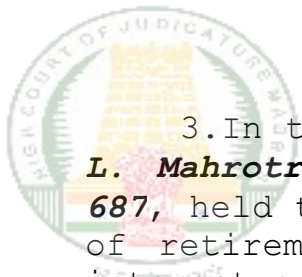
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to provide the interest amount of the gratuity for the delay of 7 years 7 months and 10 days from 28.02.2013 to 08.10.2020 at the interest rate of 8.8% compound interest per annum to the petitioner, in accordance with G.O.Ms.No.173, Finance (Pension) Department dated 01.04.2004 within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mrs.V.P.M.Vaishnavi
Government Advocate

ORDER

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.

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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 ()

// True Copy //

/ /2021

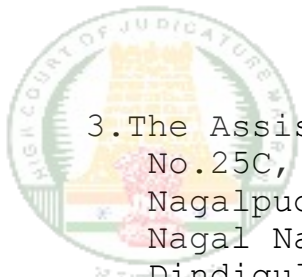
Sub Assistant Registrar(CS)

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.

To

1. The Principal Secretary,
Handlooms, Handicrafts, Textiles and Khadi Department,
Secretariat,
Chennai 600 009.

2. Director of Handlooms and Textiles,
Kuralagam,
2nd Floor,
Chennai 600 108.



3.The Assistant Director of Handlooms and Textiles,
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+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-13495[F] dated
25/03/2021)

W.P. (MD) No.6696 of 2021

24.03.2021

(CO)
HB(24.04.2021) 3P 5C