



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.5946 of 2017

R.Sundar Babu

...Petitioner

Vs.

The Joint Director of Collegiate Education,
Madurai Region, Palam Station Road,
Madurai-625 002, Madurai District.

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent herein to consider and pass orders on the petitioner's final representation dated 28.01.2017 seeking appropriate interest for the delayed payments of pension and other retiral benefits to the petitioner.

For Petitioner : Mr.E.V.N.Siva

For Respondent : Mr.D.Muruganantham

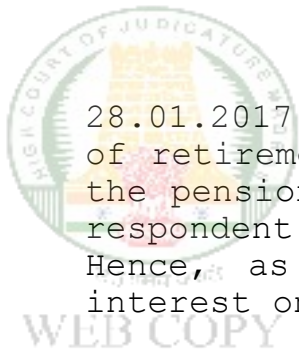
Additional Government Pleader

O R D E R

This writ petition is filed for a direction to the respondent to consider and pass orders on the petitioner's final representation, dated 28.01.2017 seeking appropriate interest for the delayed payments of pension and other retiral benefits to the petitioner.

2.The case of the petitioner is that he was retired from service as Associate Professor, on 31.12.2013, after rendering 31 years of unblemished service in Yadava College, Tirupalai. Though the pension proposal was sent to the respondent, on 06.11.2013, the pensionary benefits were disbursed to the petitioner only on 09.02.2015. For payment of interest on the belated disbursement of the pensionary benefits, the petitioner has made a representation, dated 28.01.2017 to the respondent. Since no order has been passed, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that as per Rule 45A of the Tamil Nadu Pension Rules 1978, the petitioner is entitled for interest for the delayed payment of death-cum-Retirement Gratuity (DCRG) to the tune of Rs.10,00,000/-. Therefore, the petitioner has made a representation, dated



28.01.2017 seeking appropriate interest for the delayed disbursement of retirement benefits. Further, the learned counsel submitted that the pension payment order was passed in the year 2014, however, the respondent disbursed the retirement benefits only in the year 2015. Hence, as per the Statute, the petitioner is entitled to get interest on the belated payment of pensionary benefits.

4.The facts in the present case are not in dispute. Admittedly, the petitioner was retired from service in the year 2013 and his pensionary benefits were also settled. However, a perusal of the petitioner's representation, dated 07.05.2014 reveals that a criminal case was registered against him, at the instigation of one Kannan in FIR No.152 of 2012 and the same is pending. Since the criminal case is pending, the pension payment order was not passed in time. Further, it appears that the pension payment order was passed in the year 2014 and within one year, the petitioner has received the pensionary benefits. Hence, I do not find any justification or merit in the petitioner's representation. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To
The Joint Director of Collegiate Education,
Madurai Region, Palam Station Road,
Madurai-625 002, Madurai District.

+1 CC to M/s.SPL GP (SR-10899[F] dated 12/03/2021)

W.P. (MD)No.5946 of 2017

11.03.2021

RA (11.05.2021) P 3C