



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.No.18225 of 2012

P.S.Kirubanantham

...Petitioner

-Vs-

1.The Commissioner,
Municipal Administration and
Water Supply Department,
Ezhilagam, Chennai - 600 005.

2.The Director of Local Fund Audit,
Kuralagom, IV Floor,
Chennai - 600 108.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to pay interest on Rs.6,01,836/- which is belated payment of Pensionary benefits payable on 30.06.2002 which was paid on 30.06.2012 at the rate of 12% interest compounded annually as per G.O.Ms.No.122, Finance (Pension) Department, dated 20.02.1995.

For Petitioner : Mr.A.R.Nixon

For Respondents: Mr.C.Selvaran, AGP

ORDER

In G.O.Ms.No.122, Finance (Pension) Department, dated 20.02.1995, the Government had ordered that when payment of the Death-cum-Retirement Gratuity (DCRG) benefits has been delayed, the rate of interest shall be paid at the rate of 12% per annum, which is to be compounded annually.

2. The petitioner herein was permitted to retire on reaching the age of superannuation on 30.06.2002. The respondents have alleged in the counter that owing to certain audit objections and various factors, the DCRG benefits could not be disbursed immediately. Ultimately, the DCRG benefits was disbursed to the petitioner on 30.06.2012, which is about 10 years of delay. In view of the order of the Government in G.O.Ms.No.122, dated 20.02.1995, the petitioner would be entitled for interest on the belated payment of the DCRG benefits.



3. In the light of the above observation, there shall be a direction to the respondents 1 and 2 to forthwith pay interest on the belated payment of the DCRG benefits between 30.06.2002 and 30.06.2012, at the rate of 12% per annum compounded annually. Such orders of disbursement shall be made within a period of four (4) weeks from the date of receipt of a copy of this order.

4. The Writ Petition stands allowed, accordingly. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

hvk
To

1.The Commissioner,
Municipal Administration and
Water Supply Department,
Ezhilagam, Chennai - 600 005.

2.The Director of Local Fund Audit,
Kuralagam, IV Floor,
Chennai - 600 108.

+1 cc to Mr. A.R.Nixon, Advocate Sr.NO. 10919
+1 cc to Government Pleader Sr.NO. 10725

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pl(CO)
A.SK(04/03/2022)