



W.P(MD)No.26067 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26067 of 2022

T.Hariharan

... Petitioner

Vs.

1.The Chief Engineer,
Agricultural Engineering Department,
487, Anna Salai,
Nandanam,
Chennai.

2.The Assistant Executive Engineer,
Agricultural Engineering Department,
Cheran Mahadevi,
Tirunelveli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 2 to pay interest for the belated payment of the gratuity to the petitioner for the period from November 2006 to March 2018 based on the proposal of the 2nd Respondent and the representation dated 22.03.2021 preferred by the petitioner within the time frame stipulated by this Court.

For Petitioner : Mr.V.P.Rajan

For R1 & R2 : Mr.J.K.Jayaseelan
Government Advocate



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ORDER

Heard the learned counsel on either side.

2. With the consent of learned counsel on either side, the writ petition is taken up for final disposal at the admission stage itself.

3. The petitioner was employed as Junior Engineer in Agricultural Engineering Department. He reached the age of superannuation on 31.07.2006. He was however placed under suspension and not allowed to retire in view of his implication in vigilance case. It is not in dispute that the criminal case ended in favour of the petitioner finally by 08.01.2011. The benefits payable to the petitioner ought to have been disbursed within three months thereafter. However, only in March 2018, the benefits were finally settled. Prima facie, there is a delay of more than 7 ½ years.

4. The respondents are obliged to pay interest thereon. The respondents are directed to pay interest as per the statutory norms on the belated disbursement of DCRG. This amount shall be disbursed within a period of twelve weeks from the date of receipt of a copy of this order.



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5. The Writ Petition is allowed accordingly. No costs.

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Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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