



WEB COPY



W.P.No.18397 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.18397 of 2011

The Madras Metropolitan,
Water Supply & Sewerage Board,
Officials & Employees Union,
Regd.No.2612/CNI Off:AITUC,
rep. by its President,
26, 4th Main Road,
Thiruvalluvar Nagar,
Chennai 118

... Petitioner

Vs.

The Chennai Metropolitan Water Supply and
Sewerage Board,
rep. by its Managing Director,
1, Pumping Station Road,
Chintahtripet,
Chennai-2

... Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the respondent to pay the II Instalment of Arrears Bonus to the employees of the respondent namely for the period 2000 to 2001 to 2005-2006 one payment with interest @ 18% per annum, and without adjusting the exgratia/Bonus already paid.



W.P.No.18397 of 2011

For Petitioner : Mr.K.Shanmugakani

For Respondent : Mr.Jerry V.V.Sundar,
Standing Counsel

ORDER

This writ petition has been filed for direction to the respondent to pay the II Instalment of Arrears Bonus to the employees of the respondent namely for the period 2000 to 2001 to 2005-2006 one payment with interest @ 18% per annum, and without adjusting the exgratia/Bonus already paid.

2. Heard, the learned counsel appearing on either side.

3. The petitioner/Union claimed bonus and as per board proceedings in BP.No.6 of 2010 dated 10.02.2010, they were granted bonus for the year 1988 to 2008 by 3 installments. The first installment shall be paid in the year 2010-2011 and the second installment shall be paid in the year 2011-2012 and the third installment to be paid in the year 2012-2013. After receipt of first installment, the petitioner submitted



W.P.No.18397 of 2011

representation seeking interest. However, when they agreed to receive the bonus by 3 installments without any interest, subsequently they cannot claim interest for the bonus. Therefore, they are not entitled for ex-gratia and interest for bonus as sought for in this writ petition. As such, this writ petition is liable to be dismissed. However, if the petitioner / Union's members were not paid bonus as per board proceedings in BP.No.6 of 2010 dated 10.02.2010, the respondent is directed to pay the bonus as per the board proceedings dated 10.02.2010 within a period of twelve weeks from the date of receipt of copy of this order.

4. With the above direction, this writ petition is dismissed.

There shall be no order as to costs.

18.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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W.P.No.18397 of 2011

G.K.ILANTHIRAIYAN, J.

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To

- 1.Managing Director,
The Chennai Metropolitan Water Supply and
Sewerage Board,
1, Pumping Station Road,
Chintahtripet,
Chennai-2
- 2.The Government Advoate,
High Court, Madras.

W.P.No.18397 of 2011

18.08.2023