



WP.No.3225 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.3225 of 2022

G.Krishnamurthy

.. Petitioner

Versus

1.The Deputy Registrar of Co-operative Societies
Attur Circle
Salem District

2.S.1272, Belur Karadipatti Primary
Agricultural Co-operative Credit Society
Kottavadi Post
Attur Circle
Salem District

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pay statutory interest at the rate of 10% per annum for the belated disbursement of the petitioner terminal benefits of Rs.18,41,737 from 31.05.2019 to 26.08.2021 for the delay of 815 days in illegally withheld by the respondents.

For Petitioner : Mr.M.S.Palaniswamy

For Respondents : Mr.Arugam
Government Advocate

ORDER

This writ petition has been filed seeking to direct the respondents to pay statutory interest at the rate of 10% per annum for the belated disbursement of



WP.No.3225 of 2022

the petitioner terminal benefits of Rs.18,41,737 from 31.05.2019 to 26.08.2021 for the delay of 815 days in illegally withheld by the respondents

2. It is the case of the writ petitioner that he joined in the Second Respondent Society and had retired from his service on 31.05.2019. It is the grievance of the writ petitioner that the respondents paid the retirement benefits such as Provident Fund & Gratuity amount belatedly without any interest. Hence, he made a representation requesting the respondents to pay interest at the rate of 10% per annum for Provident Fund & Gratuity and the same has not been considered. Hence, this writ petition.

3. Heard both sides and perused the entire materials. The fact that the amount has been disbursed belatedly is not in dispute. In fact, the terminal benefits are paid at the directions of this Court in W.P.No.21533 of 2019, Order dated 17.09.2019. These facts are also not in dispute.

4. Such view of the matter, this Court is of the view that as per the Payment of Gratuity Act and Employees Provident Fund Act, employees are to be paid with interest.

5. Such view of the matter, though the petitioner is entitled for more than 10%, since, he has claimed only 10%, the respondents are directed to pay 10%



WP.No.3225 of 2022

interest per annum for the belated payments of retirement benefits paid to the petitioner.

6. Accordingly, this writ petition stands disposed of. No costs.

26.07.2023

dhk

Internet: Yes/No

Neutral Citation:Yes/No

To

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Salem District

2.S.1272, Belur Karadipatti Primary
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N.SATHISH KUMAR, J.



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