



WEB COPY



W.P.No.9091 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9091 of 2023

C.Gandhimathi

... Petitioner

Vs

1. Government of Tamil nadu,
Rep by its Secretary,
School Education Department,
Fort St. George,
Chennai – 600 009.
2. Director of School Education,
Office of Directorate of School Education,
College Road,
Nungambakkam,
Chennai – 600 006.
3. Joint Director of School Education (Personnel),
Office of Directorate of School Education,
College Road,
Nungambakkam,
Chennai – 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay compound interest at the rate of 12% per annum on the terminal benefits



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of the petitioner such as Pension, commuted value of pension, encashment of earned leave, death cum retirement gratuity from 31.05.2014 being the date of retirement of the petitioner till the payments were actually made to the petitioner during December 2022, in terms of G.O.No.173, Finance (Pension) Department, dated 01.04.2004 within the time frame stipulated by this Court.

For Petitioner : Mr.Balan Haridas

For Respondents : Mr.S.Rajesh
Government Advocate

ORDER

Heard Mr.Balan Haridas, learned counsel for the petitioner and Mr.S.Rajesh, learned Government Advocate for the respondents.

2.The petitioner herein, who was serving as a Typist under the respondents, had retired from service on 31.05.2014 on reaching the age of superannuation. The petitioner had given a representation on 10.03.2023, seeking for interest on the belated payment of the retirement benefits, which is yet to be considered.

3. This Court, in various decisions, have already taken a view that



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in all cases of belated payment of the terminal benefits, the concerned employee would be entitled for interest at the rate of 4% per annum. In this background, this Court is of the view that the petitioner would be entitled for interest at the rate of 4% per annum on the belated payment of the terminal benefits.

4. In the light of the above observations, there shall be a direction to the first respondent herein to pay interest at the rate of 4% per annum on the belated payment of the terminal benefits to the petitioner, from the date of her retirement till the date of actual disbursement, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

vga

To

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