



W.A.No.1213 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.A.No.1213 of 2023

R.Villavankothai

.. Appellant

Vs.

1. The Managing Director
Tamil Nadu Water Supply and Drainage Board
No.31, Kamarajar Road
Chepauk
Chennai 600 005.

2. The Executive Engineer
Maintenance Division
Tamil Nadu Water Supply and Drainage Board
No.56D, Rajaji Nagar
Ariyalur 621 713.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 08.02.2023 in W.P.No.34017 of 2022.



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For the Appellant : Ms.M.E.Rani Selvam
For the Respondents : Mr.S.Silambanan
Additional Advocate General
Assisted by
Mrs.Shahila Bhanu

JUDGMENT
(Delivered by the Hon'ble Chief Justice)

Heard Ms.M.E.Rani Selvam, learned counsel for the appellant and Mr.S.Silambanan, learned Additional Advocate General, assisted by Mrs.Shahila Bhani, learned counsel for the respondents.

2. The appellant has filed a writ petition bearing No.34017 of 2022. The learned Single Judge, under order dated 08.02.2023, directed the respondents to pay the appropriate amount to the appellant on or before 28.03.2023. The respondent paid an amount of Rs.4,92,000/- on 09.03.2023. The appellant now claims interest over the said amount.



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3. It is not disputed that the amount of Rs.4,92,000/- was payable to the appellant on or about September 2012. The same has been paid in March 2023.

4. The appellant has been deprived of the use and enjoyment of the said amount for almost ten years.

5. Considering the fact that the appellant has been deprived of the use and enjoyment of the legitimate amount, the appellant is entitled to interest by way of damages.

6. In the light of the above, the respondents shall pay interest at the rate of 7% per annum (simple interest) on Rs.4,92,000/- for the period from 01.01.2013 to 28.02.2023. The said interest amount shall be calculated and paid to the appellant preferably within four months from the date of receipt of a copy of this order.



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The writ appeal, accordingly, stands allowed. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)
25.07.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl

To

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