



W.P(MD)No.5849 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5849 of 2023

K.K.Ananthan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Civil Supplies Corporation (TNCSC),
No.12, Thambu Samy Road,
Chennai-600010.

2.The Regional Manager,
TNCSC,
No.10, Kuruvikaran Salai,
Madurai-625 020.

3.The Regional Manager,
TNCSC,
Sivagangai Region,
Collectorate Complex,
Phase II,
Sivagangai 630 531.

... 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 to repay time barred forced recovery of Rs.61,420/- for the reploishing the rice and give 18% simple interest for the delayed disbursement (44 months delay) of enhancement of leave salary of Rs.10,22,594/- as that of similarly placed



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person in W.A.No.1286 of 2012, dated 10.01.2013 within a stipulated time.

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For Petitioner : Mr.R.Lakshmanan

For Respondents : Mr.K.R.Badurus Zaman
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner worked as shift engineer in the respondent corporation. He reached the age of superannuation on 31.05.2019. His retiral benefits were settled only on 06.02.2023. There is absolutely no justification for such belated settlement. The employees of TNCSC are not getting pension. Therefore, the respondents are obliged to pay interest on the belated disbursement of the petitioner's retiral benefits. Since settlement was made without paying interest, the present writ petition came to be filed. Of-course, in the writ petition, a further direction has been sought for directing the management to pay the withheld amount of Rs.61,420/-.

3. I am not in a position to grant direction sought for for paying the withhold amount, since the petitioner has failed to challenge the



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proceeding dated 23.02.2012 whereby, the said sum was ordered to be recovered. It is true that the said amount was not recovered from the petitioner's monthly salary. But the management cannot be faulted for withholding the said amount. However, for the belated settlement, the management is directed to pay interest at the rate of 8% per annum. This amount shall be paid by the respondents within a period of eight weeks from the date of receipt of a copy of this order.

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

02.06.2023

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

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