



W.P(MD)No.16497 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.03.2023

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.16497 of 2020

S.Karunamoorthi

... Petitioner

**Vs.**

1.The Secretary to Government of Tamil Nadu,  
Backward Classes, Most Backward Classes and  
Denotified Tribes Welfare Department,  
Secretariat, Chennai-9.

2.The Director of Backward Classes, Most Backward and  
Denotified Tribes Welfare Department, Chepauk,  
Chennai-5.

3.The Joint Director,  
Kallar Reclamation Department,  
Madurai-20.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records connected with the impugned order of Rejection of Interest on the belated payment of arrears of salary and terminal benefits passed by the first respondent in Letter No.2424/Pi.Na 3(1)/2020-4, dated 02.11.2020, quash the same and consequently, direct the first respondent to settle the interest at the rate of 18% p.a on the belated payment of arrears of salary of Rs.6,15,721/- due



W.P(MD)No.16497 of 2020

from 30.09.1986 and arrears of Surrender Leave Salary of Rs.44,382/- to till the date of settlement in January 2020 and also to settle the interest on the belated payment of arrears of pension of Rs.7,18,414/- arrears of commutation of Rs.88,955/- and arrears of gratuity of Rs.1,07,865/- from the date of retirement on 31.03.2010 till the date of settlement in February 2020 in the light of the Judgment of the Hon'ble Supreme Court reported in 2000 Vo.3 LLN Page-1, dated 31.01.2000.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.K.Balasubramani  
Special Government Pleader

### **ORDER**

Heard the learned counsel on either side.

2. The litigation between the petitioner on one hand and the respondents on the other ended in favour of the petitioner on 20.03.2012. Questioning the same, the Government filed W.A.(MD)No.966 of 2013. It was dismissed on 11.04.2017. Aggrieved by the same, the respondent filed a Review Application (MD)SR.No.46672 of 2017. The review petition was dismissed on 02.02.2018. Thereafter, the Government went on SLP and the same was also dismissed on 29.04.2019. Thereafter, G.O.Ms.No.61, dated 25.09.2018 was issued. The benefits were eventually settled in January 2020. The right of the petitioner



**W.P(MD)No.16497 of 2020**

accrued on 20.03.2012. It is relevant to note that the petitioner retired in March 2010 itself.

3. The respondents are therefore directed to pay interest to the petitioner at the rate of 6% per annum with effect from 20.03.2012 till the date of payment. This interest amount shall be paid within a period of eight weeks.

4. The Writ Petition is allowed on these terms. No costs.

**08.03.2023**

Index : Yes / No  
Internet : Yes/ No  
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To

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**W.P(MD)No.16497 of 2020**

**G.R.SWAMINATHAN, J.**

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W.P(MD)No.16497 of 2020

08.03.2023