



W.P.(MD).No.16346 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16346 of 2023

P.Joseph Corera

... Petitioner

Vs.

1.The Secretary to Government,
Higher Education Department,
Fort St.George, Chennai-600 009.

2.The Director of College Education,
College Road, Nungambakkam,
Chennai-600 006.

3.The Joint Director of College Education,
Tirunelveli Region,
Tirunelveli.

4.St.Mary's College,
Represented by its Secretary,
Tuticorin.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to settle all monetary benefit with interest at the rate of 12% per annum to the petitioner.



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For Petitioner : Mr.S.Kumar

For Respondents : Mr.N.Ramesh Arumugam
Government Advocate

ORDER

The present writ petition has been filed seeking direction to the respondents to settle all monetary benefit with interest at the rate of 12% per annum to the petitioner.

2. Heard the learned Counsel for the petitioner and the learned Government Advocate for the respondents and carefully perused the materials available on record.

3. The petitioner was appointed as Office Assistant on 01.08.1973 by the fourth respondent College in an approved vacancy. Later on 30.12.1985, he was promoted as Mechanic. He retired from service on 31.03.2004. The petitioner sought for monetary benefit applicable to the post of mechanic. However, the first respondent vide order, dated 30.07.2010, rejected his request citing revision of educational qualification, subsequent to the date of his promotion.



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Challenging the said communication, the petitioner filed W.P(MD)No.592 of 2011. This Court passed an order on 22.11.2019 directing to disburse the monetary benefits within a period of twelve weeks from the date of receipt of copy of the aforesaid order. However, the respondents did not disburse the monetary benefits within the stipulated period of time as fixed by this Court.

4. The learned Government Advocate for the respondents on the basis of written instruction received by him submitted that it will take a considerable period of time for them to consider the representation made by the petitioner.

5. Despite several request made by the petitioner, the respondents are not heeding to his request. Hence, the petitioner is also entitled to interest for delayed payment. The petitioner is of the age 78 and hence, this Court is inclined to direct the respondents to settle all monetary benefits with interest at a rate of 6% per annum to the petitioner within a period of eight (8) weeks from the date of receipt of a copy of this order.



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6. With the above said observation, this writ petition stands disposed of.

There shall be no order as to costs.

26.07.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

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Higher Education Department,
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- 2.The Director of College Education,
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Chennai-600 006.
- 3.The Joint Director of College Education,
Tirunelveli Region,
Tirunelveli.
- 4.The Secretary,
St.Mary's College,
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L.VICTORIA GOWRI, J.

BTR

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