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W.P.No.1360 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.1360 of 2024

M.Shanthi

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Petitioner

Vs

1. The Commissioner of Treasuries & Accounts,
CPS Cell, Government Data Centre,
Perasiriyar K.Anbazhangan Maaligai,
Nandanam, Chennai – 600 035.

2. The Educational Officer,
Amma Maaligai,
Greater Chennai Corporation,
Chennai – 600 003.

3. The Head Mistress,
Chennai Girls Higher Secondary School,
Pulla Avenue, Shenoy Nagar,
Chennai – 600 030.

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Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to authorise the applicable interest amount for the belated disbursement of the CPS accumulation of Rs.27,25,928/- from 01.10.2023 to 07.01.2024 in the light of the Government Letter No.185[S(E)]/Fin(PGC)/2026-1, Finance (PGC) Department, dated 01.04.2016 and further direct the third



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respondent to draw and disburse the same into the petitioner's bank account through ECS immediately.

For Petitioner : Mr.Varun J

For R1 & R2 : Mr.A.M.Ayyadurai
Government Advocate

ORDER

This Writ Petition has been filed for direction directing the respondents to pay appropriate interest to the petitioner for the delayed sanction and disbursement of retirement benefits.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. In identical issues, this Court has passed various orders, justifying the payment of interest to the aggrieved pensioners and in the order dated 13.12.2019 in W.P.(MD) No.26481 of 2019, the following order came to be passed :-

“5. I am not in agreement with the said representation made. There was already a duty cast on the respondent Corporation to pay the terminal benefits



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on the date of retirement itself and the very fact that the belated disbursement of retirement benefit, had already put the retired employee to serious prejudice, entertaining the present request for disbursement of the interest on the belated payment in installments, could cause further prejudice to the retired employee.

6. In the light of the above observations, there shall be a direction to the respondent / Corporation to pay the penal interest at the rate of 6% per annum on the belated payment of the retirement benefits for the period from the date of the retirement, till the date of the actual disbursement, as expeditiously as possible and in any event, not before the expiry of three months from the date of receipt of a copy of this order.

4. This Court is of the view that the third respondent could be directed to pay the interest on the belated payment, at the rate of 6% per annum, as ordered in the above writ petition.

5. In the light of the above findings, there shall be a direction to the third respondent herein to pay the interest on the belated payment of the terminal benefits to the petitioner at the rate of 6% per



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annum, commencing from the date of the retirement, till the date of actual disbursement, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

24.01.2024

Internet : Yes
Index : Yes/No
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To

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G.K.ILANTHIRAIYAN, J.

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