



W.P.No.2659 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2024

CORAM:

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

W.P.No.2659 of 2024

and

W.M.P.No.2931 of 2024

1. Tamilselvi Narayanan
2. Vignesh Baby Narayanan
3. Vaishnavi Vasanth
4. Devaki Ammal

.... Petitioners

Vs

1. The Registrar of Cooperative Societies,
Kilpauk, Chennai 600 010.

2. The Joint Registrar/
The Managing Director,
Kumbakonam, Central Cooperative Bank,
Kumbakonam.

3. The Deputy Registrar,
Mayiladuthurai – 609 001.

4. The Sub Registrar Cooperative Society,
Secretary/Field Officer/The President,
5938, Mahendrapalli,
P.A.C.C.S. Ltd,
Mahendrapalli Post,
(via) Achalpuram,
Mayiladuthurai District 609 101.

..... Respondents



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to disburse the interest on the amount paid belatedly on the death of V.J.Narayanan, deceased Government Servant on the account of payment of DCRG, to the petitioners forthwith.

For Petitioners : Mr.R.Loganathan

For Respondents : Mr.U.Baranidaran
Additional Government Pleader

ORDER

This Writ Petition has been filed for direction directing the respondents to pay appropriate interest to the petitioners for the delayed sanction and disbursement of retirement benefits on the death of V.J.Narayanan, deceased Government Servant.

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 :-



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“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 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 respondents 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.



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5. In the light of the above findings, there shall be a direction to the respondents herein to pay the interest on the belated payment of the terminal benefits to the petitioner at the rate of 6% per 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. Consequently, connected miscellaneous petition is closed. No costs.

07.02.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
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To

1. The Registrar of Cooperative Societies,
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The Managing Director,
Kumbakonam, Central Cooperative Bank,
Kumbakonam.

3. The Deputy Registrar,
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4. The Sub Registrar Cooperative Society,
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G.K.ILANTHIRAIYAN. J,



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