



WEB COPY



W.P.No.38494 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2024

CORAM:

THE HONOURABLE DR. JUSTICE D.NAGARJUN

W.P.No.38494 of 2015

and

M.P.No.1 of 2015

Mrs.P.Balamani

...Petitioner

-Vs-

1.The District Collector,
Collectorate,
Cuddalore District,
Cuddalore.

2.The Block Development Officer (Village Panchayat),
Kammapuram Panchayat Union,
Kamapuram,
Cuddalore District.

3.R.Dhanush,
Block Development Officer (Village Panchayat),
Kurinchipadi Panchayat Union,
Cuddalore District.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondents to regularise the period of casual leave from 01.03.2013 to 06.03.2013 and delete the



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wrong entry made in the service register by the 3rd respondent on 13.06.2013 and further direct the respondents to pay the scale of pay of Deputy Block Development Officer to the petitioner w.e.f. the date of joining the said post on 22.03.2013 forenoon with 18% per annum and cost to be recovered from the 3rd respondent.

For petitioner	: Mr.R.Singaravelan, Senior Advocate for M/s.M.Srividhya
For R1	: Mr.S.Ravikumar Special Government Pleader
For R2	: Mr.S.Gunasekaran
For R3	: Ms.C.Sangamithirai Special Government Pleader

ORDER

This writ petition is filed seeking mandamus directing the respondents to regularise the period of casual leave from 01.03.2013 to 06.03.2013 by deleting the wrong entry made in the service register by the 3rd respondent on 13.06.2013 and to pay the scale of pay of the Deputy Block Development Officer to the petitioner w.e.f. the date of joining the said post on 22.03.2013 with 18% per annum and cost to be recovered from the 3rd respondent.



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2. It is brought to the notice of this Court that all the relief sought for by the petitioner have been granted by the respondents except for the arrears to be paid. Today, 24.01.2024, the learned Special Government Pleader representing the 1st respondent submitted copy of the order, which shows that an amount of Rs.2,68,700/- was paid towards arrears to the petitioner.

3. Learned counsel for the petitioner submitted that the arrears, which were paid to the extent of Rs.2,68,700/-, have been paid from 2010 to 2015 and therefore sought for a direction to pay the interest over the said payment. Learned Special Government Pleader representing the 1st respondent submitted that the delay is on account of an administrative reason. He further submitted that all delayed payments are to be paid along with interest at 8%.

4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case, this writ



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petition is disposed of by giving liberty to the petitioner to file an application before the concerned authorities requesting to pay the interest on the delayed payments within three weeks from the date of receipt of the copy of the order, and, on filing such representation within four weeks, the respondents are directed to dispose of the application on merits. No costs. Consequently, connected miscellaneous petition is closed.

24.01.2024

cda

Index : Yes/No

Speaking/Non-Speaking Order



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Dr.D.NAGARJUN.J,

cda

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