



W.P.No.36512 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM :

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

W.P.No.36512 of 2023

A.Chandrsekaran

...Petitioner

-Vs-

1.The State of Tamil Nadu  
rep. by the Principal Secretary to Government  
Home Department  
Secretariat, Chennai – 9.

2.The Director General of Police/  
Director General of Prisons,  
Whannels Road,  
Egmore, Chennai – 8.

3.The Superintendent  
Central Prison  
Coimbatore – 16.

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1<sup>st</sup> respondent to consider the petitioner representation, dated 21.03.2023 to sanction interest on belated payment of DCRG and to sanction interest on belated payment of surrender leave salary and consequently direct the 1<sup>st</sup> respondent to sanction interest



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payment of Rs.3,42,850/- towards the belated payment of DCRG and Rs.2,51,732/- towards belated payment of surrender leave salary.

For petitioner : Mr.R.Thomas

For respondents : Dr.T.Seenivasan  
Special Government Pleader.

### **ORDER**

This writ petition has been filed for a direction to the first respondent to consider the petitioner's representation dated 21.03.2023 to sanction interest to the petitioner for the delayed sanction and disbursement of retirement benefits.

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

3. In identical issues, this Court has passed various orders,



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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 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 month from the date of receipt of a copy of this order.*

4. This Court is of the view that the first respondent could be directed to pay the interest on the belated payment, at the rate of 6% per



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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 first respondent herein to pay the interest on the belated payment of the terminal benefits to the petitioners 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 copy of this order.

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

05.01.2024

Index : Yes/No  
Internet: Yes/No  
gvn

To

1. The State of Tamil Nadu  
rep. by the Principal Secretary to Government  
Home Department

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Secretariat, Chennai – 9.

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**G.K.ILANTHIRAIYAN,J.**  
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