



W.P.(MD)No.8881 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.8881 of 2024

M.Sudalai Muthu

... Petitioner

Vs.

The Commissioner,
Thoothukudi City Municipal Corporation,
Thoothukudi,
Thoothukudi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent to provide the arrears of interest for the subscription amount deducted from the salary of the petitioner towards the General Provident Fund while in service along with Dearness Allowance Arrears and Vth Pay Commission Arrears and Revised pay Commission Arrears within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondent : Mr.N.Anandakumar
Standing Counsel

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.



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Heard Mr.Mr.S.Louis, learned counsel for the petitioner and Mr.N.Anandakumar, learned Standing Counsel for the respondent.

3. The writ petitioner was employed in Thoothukudi City Municipal Corporation. He retired on 31.05.2011 and his Provident Fund contribution was disbursed. The interest component was not calculated and disbursed. Now, the petitioner seeks his arrears of interest for the subject amount deducted from the salary towards General Provident Fund (GPF) while he was in service along with other payment arrears.

4. The petitioner's case is squarely covered by the order dated 03.12.2018 in W.P.(MD).No.23879 of 2018 (***Thoothukudi Nagarachi Managarachi Oyvoothiya Aluvalargal Sangam Vs The Commissioner of Municipal Administration and another***) filed by the association. The relevant portion of the order is extracted hereunder:

“4.Due to the delay in calculating the interest portion, they are not able to disburse the money, is the reason stated in the communication of the second respondent dated 24.08.2018. Though the reason is not acceptable, but having waited for so long, if some time frame is fixed for the second respondent to disburse the



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money, it may be satisfied the members of the petitioner's association. Therefore, without going into the merits of the claim, if any GPF amount to be paid to the retired employee of the Thoothukudi Nagarachi Managarachi Oyvoothiya Aluvalargal Sangam, the GPF amount shall be paid not later than four months from the date of receipt of a copy of this order.”

5. In the light of the aforesaid order, there shall be a direction to the respondent to pay the interest amount to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

6. In view of the above, this Writ Petition is allowed. No costs.

08.04.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

The Commissioner,
Thoothukudi City Municipal Corporation,
Thoothukudi,
Thoothukudi District.



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R.N.MANJULA, J.

Nsr

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