



W.A.(MD)No.1550 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
AND
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.A.(MD)No.1550 of 2024 &
C.M.P.(MD)No.12169 of 2024

1.The Chief Educational Officer,
Tirunelveli - 627 009,
Tirunelveli District.

2.The District Educational Officer,
Tirunelveli - 627 001,
Tirunelveli District.

3.The District Educational Officer,
Sankarankoil - 627 756,
Tirunelveli District.

..Appellants

vs.

1.M.Ramasamy

2.The Accountant General (A & E)
Office of Accountant General,
Teynampet,
Chennai - 600 018.

... Respondents

Prayer: Writ Appeal filed under filed under Clause 15 of Letters Patent Act to set aside the orders dated 09.06.2023 in W.P.(MD)No.21778 of 2019 on the file of this Court and to allow the appeal.



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For Appellants : Mr.S.P.Maharajan
For Respondents : Mr.Ashaiq Ismail
for Mr.T.Cibi Chakraborty for R1
Mr.P.Gunasekaran
Standing Counsel for R2

JUDGMENT

(Judgment of the Court was delivered by **P.VELMURUGAN, J.**)

Mr.Ashaiq Ismail, learned counsel takes notice for the first respondent. Mr.P.Gunasekaran, learned Standing Counsel takes notice for the second respondent.

2. By the consent of both the parties, this writ appeal is taken up for final disposal at the admission stage itself.

3. The first respondent herein filed the writ petition for issuance of writ of mandamus to direct the respondents therein to sanction and disburse forthwith the interest amount admissible to him on his death cum retirement gratuity (DCRG) amount of Rs.7,39,344/- as per Rule 45A of Tamil Nadu Pension Rules, 1978.



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4. The writ Court, based on the admission made by both the parties, passed the following order.

"4. It is seen from the records that the petitioner has retired from service on 31.05.2018. The respondents ought to have paid on or before 31.07.2018, but the respondents failed to pay within the said time. Hence, the petitioner is entitled to interest from 01.08.2018. Since the respondents have delayed the payment until 20.03.2019, this Court is restricting the claim of the petitioner from 01.08.2018 to 20.03.2019. The 4th respondent is directed to pay the statutory interest for the above said period and the said exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order."

5. Aggrieved over the same, the respondents 2 to 4 therein have filed the present appeal.

6. A perusal of the order passed by the learned Single Judge shows that the writ petitioner and the respondents therein have admitted the entitlement of the writ petitioner. The writ Court directed the fourth respondent to pay statutory dues with interest. Now, the appellants have



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