



W.P.(MD)No.14182 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04.06.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.14182 of 2021

N.Velayutham

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Health and Family Welfare Department,
Fort St. George, Chennai.

2.The Director,
Medical & Rural Health Service,
Chennai.

3.The Joint Director,
Health Services, Sivagangai.

4.The Joint Director,
Health Services, Ramanathapuram.

5.The Accountant General (A & E),
Office of the Accountant General,
Teynampet,
Chennai – 600 018.

... Respondents

PRAYER : Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 and 5 herein to pay interest for belated settlement of pensionary benefits of petitioner's father



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(retired employee late Dr.R.M.Narayanan M.B.B.S.) by considering the representation dated 02.07.2021, given by the writ petitioner.

For Petitioner : Fr.V.R.Shanmuganathan
For Respondents 1 to 4 : Mr.D.Gandhiraj
Special Government Pleader
For 5th Respondent : Mr.P.Gunasekaran
Standing Counsel

ORDER

This Writ Petition has been filed seeking to direct the respondents 2 and 5 herein to pay interest for belated settlement of pensionary benefits of petitioner's father (retired employee late Dr.R.M.Narayanan M.B.B.S.) by considering the representation dated 02.07.2021, given by the writ petitioner.

2.Dr.R.M.Narayanan served as an Assistant Surgeon in Government Hospital, Karaikudi during 1982 and he passed away while in service on 16.06.1982. He was survived by his wife Valliammai, three sons and a daughter and one of his son, N.Velayutham is the writ petitioner herein. After his demise, his wife Valliammai applied for pension and other benefits to which they are entitled to and the same was duly sanctioned on 15.05.2019, after a lapse of nearly 37 years. Hence, this Writ Petition came to be filed seeking interest for belated settlement of pensionary benefits.



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3.The third respondent has filed a counter and the learned Special Government Pleader vehemently submitted that without submitting proper documents, the question of sanctioning interest for the delay period of payment of pension benefits will not arise and pressed for dismissal of the Writ Petition.

4.For which, the learned counsel appearing for the petitioner retaliated stating that the pension is not a bounty and that they are entitled for the interest on the belated payment of pensionary benefits.

5.Heard the learned counsel for the petitioner, the learned Special Government Pleader for the respondents 1 to 4, the learned Standing Counsel for the fifth respondent and carefully perused the materials available on record.

6.Observing that pensionary benefit is not a bounty or charity, this Court hereby direct the respondents 2 to 5 to pay the interest for the belated settlement of pensionary benefits of the petitioner's father considering the petitioner's representation dated 02.07.2021, within a period of eight weeks from the date of receipt of copy of this order.



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7. Accordingly, the Writ Petition stands allowed. There shall be no order as to costs.

04.06.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



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To

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- 3.The Joint Director,
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L.VICTORIA GOWRI, J.

Mrn

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