



W.P.(MD)Nos.19658 & 19557 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)Nos.19658 & 19557 of 2023

W.P.(MD)Nos.19658 of 2023

N.Petchimuthu

... Petitioner

vs.

1.The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.

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

3.The Deputy Director of Local Fund Audit,
Thoothukudi City Municipal Corporation Campus,
Thoothukudi, Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second 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, V Pay Commission Arrears and Revised Pay Commission Arrears within the time stipulated



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by this Court.
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For Petitioner : Mr.S.Louis
For Respondents : Mr.M.Lingadurai,
Special Government Pleader
for R1 & R3
Mr.N.Ananda Kumar,
Standing Counsel for R2

W.P.(MD)Nos.19557 of 2023

M.Mariammal ... Petitioner
vs.

- 1.The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.
- 2.The Commissioner,
Thoothukudi City Municipal Corporation,
Thoothukudi,
Thoothukudi District.
- 3.The Deputy Director of Local Fund Audit,
Thoothukudi City Municipal Corporation Campus,
Thoothukudi, Thoothukudi District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second 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



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service along with Dearness Allowance Arrears and V Pay Commission Arrears and Revised Pay Commission Arrears within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mr.M.Lingadurai,
Special Government Pleader
for R1 & R3

Mr.N.Ananda Kumar,
Standing Counsel for R2

COMMON ORDER

Heard Mr.S.Louis, learned counsel for the petitioners, Mr.M.Lingadurai, learned Special Government Pleader for the respondents 1 and 3 and Mr.N.Ananda Kumar, learned Standing Counsel for the second respondent.

2. The petitioners have filed these writ petitions seeking a direction to the second respondent to provide the arrears of interest for the subscription amount deducted from their salary towards the General Provident Fund while in service along with Dearness Allowance Arrears, V Pay Commission Arrears and Revised Pay Commission Arrears within



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the time stipulated by this Court.

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3. Mr.N.Ananda Kumar, learned Standing Counsel for the second respondent submitted that due to the financial constrains faced by the second respondent Corporation, they are unable to settle the dues to the petitioners.

4. Though the learned Standing Counsel has submitted that the second respondent Corporation is facing financial constrains, that cannot be the reason to withhold the terminal benefits of the employees on their retirement.

5. Therefore,

(i) The writ petition in W.P.(MD)No.19658 of 2023 is allowed.

(ii) The writ petition in W.P.(MD)No.19557 of 2023 is allowed.

(iii) The second respondent Corporation is directed to disburse the amount that the petitioners are entitled to with interest at the rate of 4% per annum from the date of retirement till the date of disbursal of the



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amount within a period of eight weeks from the date of receipt of a copy of this order. No costs.

02.04.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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To

- 1.The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.
- 2.The Commissioner,
Thoothukudi City Municipal Corporation,
Thoothukudi,
Thoothukudi District.
- 3.The Deputy Director of Local Fund Audit,
Thoothukudi City Municipal Corporation Campus,
Thoothukudi, Thoothukudi District.



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R.N.MANJULA, J.

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