



WA(MD). No.2436 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 27/11/2024

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

WA(MD). No.2436 of 2024
and CMP(MD) No.16919 of 2024

1. The Government of Tamilnadu,
rep. by its Principal Secretary
Environment and Forest Department
Fort St. George, Chennai 600 015.

2. The Principal Chief Conservator of Forests,
Saidapet, Panagal Maaligai
Chennai 600 015.

3. The Chief Conservator of Forests,
Tirunelveli Region,
Tirunelveli 627 007

4. The District Forest Officer,
Kanniyakumari Division,
Vadasery, Nagercoil
Kanniyakumari District

... Appellants

Vs

N.Krishnan,
S/o.S.Namasivayam,
3/16a, Azhagarkonam,
Kanniyakulam Post, Nagerkoil-629 003,
Kanniyakumari District..

... Respondent



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PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against the order of this Court dated 07.07.2023 in WP(MD). No.14676/2019.

For Appellants : Mr.S.Shaji Bino
Special Government Pleader

For Respondents : Ms.P.Kalaiyarasi Bharathi

JUDGMENT

(Judgment of the Court was delivered by M.S.RAMESH, J.)

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

2. Challenge is made to the order of the writ Court dated 07.07.2023 in WP(MD) No.14676/2019.

3. The appellants are aggrieved against the order granting 12% interest on the belated payment of DCRG benefits. The benefits were belatedly paid in view of pendency of certain charges under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955 against the respondent herein and others. Pursuant to the orders passed in



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WA(MD) No.1528/2019 dated 23.01.2022, one of the co-delinquent was paid interest at the rate of 12% per annum, on the belated payment of DCRG benefits.

3. In service jurisprudence, when one set of similarly placed employees are extended with certain service benefits through Court orders, the same cannot be denied to other similarly placed persons in view of the law laid down by the Hon'ble Supreme Court in the case of *State of Uttar Pradesh v. Arvindkumar Srivastava* [2015(1) SCC 347]. As such the interest awarded by the writ Court cannot be found fault with. Hence, there are no merits in the writ appeal and accordingly, the writ appeal stands dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

[M.S.R.,J]

[A.D.M.C.,J]

27.11.2024

NCC : Yes/No

Index : Yes/No

RR



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TO

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**M.S.RAMESH,J
AND
A.D.MARIA CLETE, J.**

RR

**ORDER
IN
WA(MD) No.2436 of 2024**

Date : 27/11/2024