



W.P.No.1125 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.1125 of 2025

C.Kandasamy

...Petitioner

Vs

1. The Commissioner,
HR and CE Department,
Mahathma Gandhi Road,
Chennai – 34.

2. The Dy.Commissioner/Executive Officer,
Arulmigu Vadapalani Andavar Thirukovil,
Vadapalani,
Chennai – 26.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to pay interest to the belated payment of gratuity to the petitioner from 30.06.2008 to 13.08.2020 as per Section 45 A of the Tamil Nadu Pension Rules, 1978 and Section 7(3) of the Payment of Gratuity Act, 1972 as well as the circular issued by the first respondent dated 13.01.2020.

For Petitioner : Mr.R.Rajarajan

For Respondents : Mr.K.Karthikeyan,
Government Advocate



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ORDER

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

2. The petitioner has filed this writ petition to issue a Writ of Mandamus directing the second respondent to pay interest to the belated payment of gratuity to the petitioner from 30.06.2008 to 13.08.2020 as per Section 45 A of the Tamil Nadu Pension Rules, 1978 and Section 7(3) of the Payment of Gratuity Act, 1972 as well as the circular issued by the first respondent dated 13.01.2020.

3. The case of the petitioner is that the petitioner joined the Respondent/Temple on 08.09.1969 and retired as Peshkar on 30.06.2008. The grievance of the petitioner is that there was a delay in settling the terminal benefits. In view of the same, the petitioner had sought for payment of interest towards the delay in terminal benefits. The petitioner in this regard made representation to the respondents on 29.10.2024. Since the same did not evoke any response, the present Writ Petition has



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been filed before this Court.

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4.The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

5. The learned Government Advocate appearing for the respondents submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest P.A as per the earlier orders of this Court.

6. Considering the facts of the case, this Court on submission made by either side counsel directs the respondents to consider the representation of the petitioner and pass appropriate orders and pay the eligible amount to the petitioner within a period of twelve weeks from the date of receipt of a copy of this Order. It is made clear that the amount should carry 6% interest per annum from the date on which the amount became due and payable till the date of disbursement, if the amount is not paid within the time frame fixed by this Court, the same will carry interest at the rate of 12% per annum from the date on which



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the amount became due and payable till the date of disbursement.

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7. With the above directions, this Writ Petition stands disposed of.

No order as to costs.

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Index: Yes/No

Speaking order/Non-speaking order

kv

To

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Arulmigu Vadapalani Andavar Thirukovil,
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V.BHAVANI SUBBAROYAN,J.

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