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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 4020 of 2025

N.J.Prema

... Petitioner

..Vs..

1. The Principal Secretary to Government
Environment, Climate Change and Forest Department/
(Ex-Officio Chairman for Tamil Nadu Tea Plantation
Corporation]
Fort St. George,
Chennai – 600 009.
2. Tamil Nadu Tea Plantation Corporation Ltd.,
Rep. by its Managing Director
Orange Grove Road
Coonoor – 643 101.
3. The Divisional Manager
Tamil Nadu Tea Plantation Corporation Ltd.,
Lawson Tea Division
Chichona, Valparai Taluk
Coimbatore District – 642 106.

...Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus directing the respondents to sanction all retirement benefits and monetary benefits



and disburse all the arrears along with interest for the belated payment of gratuity at the rate of 10% and to pay the earned leave salary, together with eligible interest at the rate of 12% per annum from the date of retirement till the date of payment and to pay to the petitioner within the time frame fixed by this Hon'ble Court.

For Petitioner :: Mr. N.K.Ponraj
For Respondents :: Dr. T.Seenivasan
Special Government Pleader

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction against the respondents to sanction all retirement benefits and monetary benefits and disburse the arrears along with interest for the delayed payment of gratuity at the rate of 10% and to pay the earned leave salary together with eligible interest at the rate of 12% from date of retirement till date of payment.

2. In the affidavit filed in support of the Writ Petition, it had been contended that the writ petitioner had joined the services of the second respondent on 18.12.1996. It had been further stated that the petitioner belongs to the staff category and was granted scale of payment as applicable to the Tamil Nadu Government Servants, who were holding the similar posts at the time of appointment of the



petitioner. The petitioner retired from service on attaining the age of superannuation on 31.05.2023.

3. It is contended that the accumulated earned leave and gratuity and also the revised pay will have to be paid to the petitioner herein. It had been stated that inspite of several representations, the earned leave and gratuity had not been paid to the petitioner herein.

4. Heard the learned Special Government Pleader, appearing for the respondents also.

5. It had been contended that as soon as the Government sanctions funds, the payments and the terminal benefits to the retired employees would immediately be paid on the basis of seniority.

6. Taking into consideration all the factors, a Mandamus is issued directing the respondents to disburse the retirement benefits payable to the petitioner herein together with interest at 6% p.a., within a period of two months from the date of sanction of funds by the Government in accordance with the seniority.



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C.V.KARTHIKEYAN, J.,

vsg

7. The Writ Petition stands disposed of. No order as to costs.

10.02.2025

vsg

Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

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