



WEB COPY



1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 4196 of 2025

S.Ganesan

... 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.,
Nelliyalam Tea Division, Kolapally & Post
Pandalur Taluk, Gudalur,
Nilgiris District.

...Respondents

PRAYER: Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus directing the first and
second respondents to pay and settle the interest for the belated



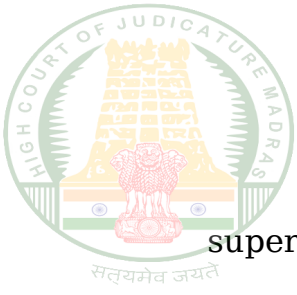
payment of gratuity at the rate of 10% and to pay me earned leave salary and to be paid pending payment also, together with interest at the rate of 12% per annum, with effect from 31.05.2022 by considering my representation dated 09.03.2024.

For Petitioner :: Mr. M.Dinesh
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 19.08.1986. 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 similar posts at the time of appointment of the petitioner. The petitioner retired from service on attaining the age of



superannuation on 31.05.2022.

WEB COPY

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 retirement benefits would be paid to the retired employees immediately 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.



WEB COPY



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

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. The Managing Director
Tamil Nadu Tea Plantation Corporation Ltd.,
Orange Grove Road
Coonoor – 643 101.
3. The Divisional Manager
Tamil Nadu Tea Plantation Corporation Ltd.,
Nelliyalam Tea Division, Kolapally & Post
Pandalur Taluk, Gudalur,
Nilgiris District.

W.P.No. 4196 of 2025