



WEB COPY



W.P.No.4332 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4332 of 2024

N.Ravichandran

... Petitioner

Vs.

1.The Tamil Nadu Water Supply and Drainage Board,
represented by its Managing Director,
Chepauk, Chennai-600 005.

2.The Secretary cum General Manager,
TWAD Board, Head Office,
No.31, Kamarajar Salai,
Chepauk, Chennai-600 005.

3.The Superintending Engineer,
TWAD Board,
Project Maintenance Circle,
Dharmapuri.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records related to the impugned proceedings bearing Letter No.48358/Pension/B2/T.A.2011 dated 21.03.2023 passed by the first respondent and quash the same and consequently, direct the first respondent



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to release and pay the interest to gratuity amount of Rs.10 Lakhs which was withheld for the period from 01.12.2011 to 27.12.2022 by the TWAD Board.

For Petitioner : Mr.R.Prabudoss

For Respondents : Mr.S.Mekhala
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned proceedings bearing Letter No.48358/Pension/B2/T.A.2011 dated 21.03.2023 passed by the first respondent and for a consequential direction to the first respondent to release and pay interest to the gratuity amount of Rs.10 Lakhs which was withheld for the period from 01.12.2011 to 27.12.2022 by the TWAD Board.

2. The learned counsel appearing for the petitioner submits that the petitioner was retired from service on 30.11.2011 and due to disciplinary proceedings pending against him, he was not paid with terminal benefits and thereafter, filing several writ petitions, the gratuity amount was paid to the petitioner on 30.10.2022, after a lapse of 11 years. Claiming interest on the



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belated payment of the gratuity amount, the petitioner has sent a letter requesting to pay interest on the gratuity amount, pursuant to which, the impugned order dated 21.03.2023 was issued by the first respondent rejecting the claim of the petitioner to pay interest to the gratuity amount. Challenging the same, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner submits that as per Rule 45A(1)(b) of the Tamil Nadu Pension Rules, 1978, for belated payment of gratuity amount, the petitioner is entitled to get interest at the rate of 10% per annum.

4. The learned Standing Counsel appearing for the respondents submits that there is no provision available either under the Gratuity Act or under the Pension Rules for payment of interest on the belated payment of gratuity amount. Hence, he prays for dismissal of this writ petition.

5. It is not in dispute that the petitioner was retired from service on 30.11.2011, however, the gratuity amount was paid on 30.10.2022 belatedly. Claiming interest on the belated payment of gratuity amount, the petitioner



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sent a letter to the first respondent which was rejected by the first respondent

vide impugned order dated 21.03.2023. It is relevant to extract here

Rule 45A(1)(b) of the Tamil Nadu Pension Rules, 1978:

“ 45A. [Interest on delayed payment of Gratuity. [Rule 45-A inserted - G.O.Ms.No.506, Finance (Pension) Department, dated 27-06-1995.]

*(1) Interest at the rate of eight per cent per annum shall be payable on the death-cum-retirement gratuity paid beyond (a) period of two months from the date of retirement of a Government servant [***]*

[Provided that on and from the 12th June 1987, the rate of such interest shall be as follows:-

(a)

(b)ten per cent per annum beyond a period of one year;]”

6. A perusal of the above provision makes it clear that if the gratuity amount is paid beyond a period of one year, 10% interest per annum shall be paid on the belated payment of gratuity amount. Hence, the petitioner is entitled for 10% interest per annum on the belated payment of gratuity



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amount. Therefore, there shall be a direction to the respondents to pay 10% interest per annum on the belated payment of gratuity amount to the petitioner in terms of Rule 45A of the Tamil Nadu Pension Rules, 1978, within a period of eight weeks from the date of receipt of a copy of this order and the impugned proceeding dated 21.03.2023 issued by the first respondent is set aside.

7. Accordingly, this Writ Petition is allowed. There shall be no order as to costs.

05.12.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



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M.DHANDAPANI, J.

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