



W.P.No.12893 of 2021

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2025

CORAM:

**THE HONOURABLE Mr.JUSTICE VIVEK KUMAR SINGH**

W.P.No.12893 of 2021

1.K.Rajendran B.A.B.L.,(DECEASED)  
Deputy Secretary to Government (Retired)  
No. 17/6, 1st Floor Abirami Apartments  
Ganeshapuram 3rd Street Teynampet Chennai  
600 018.

2.R.Balraj  
3.S.Shanthi  
4.R.Kumar  
(P2 to P4 are substituted as Lrs of deceased  
P1, as per order dated 09.09.2024 in  
WMP.NO.22389/2022 in WP.NO.12893/2021  
BY VSJ)

..Petitioners

Vs.

1. Government of Tamil nadu  
Represented by Additional Chief Secretary to  
Government Rural Development and Panchayat Raj  
(OP-1Dept) Fort St. George, Chennai 09

2. The Principal Secretary to Government  
Finance Department Fort St. george, Chennai 09

... Respondents



W.P.No.12893 of 2021

**Prayer:** This Writ petition has been filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records relating to the impugned order Letter No.4990/OP-1/2020-1, dated 30.09.2020 on the file of the 1<sup>st</sup> respondent herein and quash the same and direct the respondents to pay compound interest at the rate of 18% per annum on Rs.60,437/- namely the amount paid belatedly after a period of 25 years in the year 2019 to the petitioner.

For Petitioner : Mr.S.Sadasharam

For Respondents : Mr.R.V.Dinesh, AGP

### ORDER

This Writ Petition has been filed for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order Letter No.4990/OP-1/2020-1, dated 30.09.2020 on the file of the 1<sup>st</sup> respondent herein and to quash the same and direct the respondents to pay compound interest at the rate of 18% per annum on Rs.60,437/- namely, the amount paid belatedly after a period of 25 years in the year 2019 to the petitioner.



W.P.No.12893 of 2021

WEB COPY

2. According to the petitioner, he was appointed as Assistant on 15.03.1967 and having worked in various capacities both in judicial service and non-judicial ministerial service, he retired from service on attaining the age of superannuation dated 31.03.1996. The grievance of the petitioner is that, though he was granted with selection grade pay and subsequent increments there of, but there was considerable delay in granting the same (i.e.) nearly 25 years and hence, he claimed interest over the arrears of Rs.60,437/-. Though he made representations dated 14.02.2020 and 24.03.2020, the 1<sup>st</sup> respondent vide proceedings dated 30.09.2020 has rejected the claim of the petitioner. Challenging the same, the petitioner has come forward with the present writ petition.

3. Heard the learned counsel for the petitioner and the learned the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

4. On persual of the impugned order, it is clear that the request of the petitioner was examined by the Government with the fundamental rules and pay rules and as there is no statutory provision either in the fundamental rules or in the pay rules for sanction of interest for belated



W.P.No.12893 of 2021

re-fixation of pay and allowances and the belated payment of arrears

thereof, the petitioner is not entitled for any interest on arrears of pay and allowances. In fact, the delay had taken place not at the instance of the department, but for certain irregularities committed by the petitioner, disciplinary proceedings were initiated and the petitioner had been awarded punishment of stoppage of increment for three months. Therefore, this Court is of the view that there is no merit in the writ petition and hence the same is liable to be dismissed.

5. Accordingly, the writ petition fails and the same is dismissed.

No costs.

31.01.2025

gbi

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



W.P.No.12893 of 2021

WEB COPY

- To
1. Government of Tamil nadu  
Represented by Additional Chief Secretary to  
Government Rural Development and Panchayat Raj  
(OP-1Dept) Fort St. George, Chennai 09.
  2. The Principal Secretary to Government  
Finance Department Fort St. george, Chennai 09.



WEB COPY



W.P.No.12893 of 2021

**VIVEK KUMAR SINGH, J**

gbi

W.P.No.12893 of 2021

27.01.2025