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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2025

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.11171 of 2025

S.S.Soundararajan

.. Petitioner

Vs.

1.The Secretary,
Health and Family Welfare Department,
Fort St. George
Chennai – 600 033.

2.The Director of Medical Education,
Directorate of Medical Education,
156, Poonamallee High Road, Chetpet,
Chennai – 600 031.

3.The Dean
Rajiv Gandhi Government General Hospital,
Poonamallee High Road, Park Town,
Chennai – 600 003.

4.The Dean,
Stanley Medical College,
Old Washermanpet,
Chennai – 600 001.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st and 2nd respondent herein to pay a simple interest at 18% per annum on the delayed payment of retiral benefits viz., Commutation of Pension, Surrender Leave Salary,



Special Provident Fund Closure, DCRG, Provisional Pension Arrears and Salary Arrears, within the time frame fixed by this Court.

For Petitioner .. Mr.A.Swaminathan

For Respondents .. Mr.E.Sundaram, Govt. Advocate

ORDER

This Writ Petition has been filed in the nature of a Mandamus seeking a direction against the 1st and 2nd respondents to grant interest for the delayed payment of retirement benefits namely, Commutation of Pension, Surrender Leave Salary, Special Provident Fund Closure, DCRG, Provisional Pension Arrears and Salary Arrears.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had joined the services of the 3rd respondent, Rajiv Gandhi Government General Hospital, Chennai, in the year 1974 as Junior Assistant. He was then promoted as Assistant in the year 1989. He was suspended from service by an order dated 28.02.2002 and a charge memo had been issued on 05.06.2007. This was challenged by the petitioner.

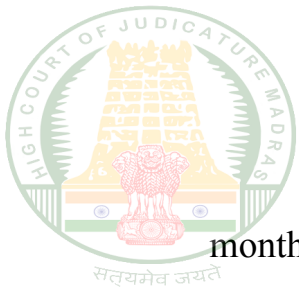


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3. Thereafter, a criminal case had also been initiated in C.C.No.10150 of 2010. The petitioner was convicted by the XI Metropolitan Magistrate, Saidapet, Chennai. He was dismissed by service by order dated 15.10.2011. It is stated that petitioner filed C.A.No.61 of 2011 before the I Additional Sessions Court, Chennai and the conviction was set aside.

4. It had been further stated that the respondents permitted the petitioner to retire from service on the date of his superannuation / 30.06.2007 without prejudice to the pending disciplinary action. Finally, the retirement benefits has been disbursed with much delay by the respondents. The petitioners seeks interest for the delayed payment.

5. A direction is given to the respondents to examine the service register of the petitioner and examine whether the petitioner is eligible for payment of any interest for the delayed payment and whether there are plausible reasons for the delayed payment of the retirement benefits. The respondents may issue a communication if there are plausible reasons to the petitioner herein and if there are no plausible reasons, then pay appropriate interest. The entire exercise must be completed within a period of three



months from the date of receipt of a copy of this order. This Writ Petition

stands disposed of. No costs.

15.04.2025

Index: Yes/No
Internet: Yes/No
smv

To

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C.V.KARTHIKEYAN,J.



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