



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No. 12928 of 2025

And

W.M.P.No. 34481 of 2025

K.Sudhakaran

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. By the Secretary to Government,
Municipality & Water Supplies Department,
Fort St.George, Chennai.

2.The Assistant Director,
Auditing (Panchayat & Municipalities)
Kuralagam, 4th Floor,
Chennai.

3.The Commissioner of Municipalities,
Koothanallur Municipality,
Thiruvarur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari, calling for the records on the file of the 3rd respondent in connection with Rejection Orders (i) Na.Ka.No.160/2022/C1 dated 28.08.2024 & (ii) Na.Ka.No.160/2022/C1 dated 20.09.2024, quash the same as illegal and direct the respondents to



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grant interest @ 9%, w.e.f. 01.05.2016 for the delayed period in sanctioning gratuity, terminal benefits and pension, within a specified time.

For Petitioner : Ms.T.Aananthi

For Respondents : Mr.T.Seenivasan

Special Government Pleader

ORDER

This Writ Petition has been filed challenging the rejection orders dated 28.08.2024 & 20.09.2024 and for a direction to the respondent to grant interest @ 9% with effect from 01.05.2016 for the delayed period in sanctioning gratuity, terminal benefits and pension within a specified time.

2. The learned counsel for the petitioner would submit that the petitioner entered into service as Fitter on 03.07.2001 at Kuthanallur Municipality and he retired from service on 30.04.2016. However, the petitioner was not paid terminal benefits and pension therefore, the petitioner filed a writ petition before this Court in W.P.No.14507 of 2018 and this Court, by its order dated 19.07.2018 directed the respondents to consider the petitioner's grievance and pass appropriate order. Subsequently, the



petitioner was granted terminal benefits calculating his pay as per the 5th pay commission. However, the pensionary benefits and terminal benefits was settled only on 13.12.2021. For belated settlement of terminal benefits from 30.04.2016 to 13.12.2021, the petitioner is entitled for interest thereby, the petitioner sent a representation to the respondents and the respondent rejected the same by passing the present impugned orders levying belated interest for payment of terminal benefits. Challenging the same, this writ Petition is filed.

3. The learned special Government Pleader for the respondents would submit that admittedly, as per the direction issued by this Court, the terminal benefits was settled in favour of the petitioner however, there is no direction for payment of interest portion. Hence, the interest cannot be paid. Accordingly, he prayed for dismissal of the writ petition.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. The fact of the present case is not in dispute. The petitioner entered service as Fitter in Kuthanallur Municipality on and he retired from service



on 30.04.2016. However, the terminal benefits was settled on 13.12.2021, pursuant to the direction issued by this Court in W.P.No.14507 of 2018 dated 19.07.2018. For payment of interest, the petitioner filed another in W.P.No.4364 of 2022 and, this Court by its order dated 27.02.2024 directed the respondents to consider the representation made by the petitioner regarding payment of the interest alone and pass appropriate orders. Pursuant to the same, the present impugned order is passed. The payment of Pensionary benefit can be paid belatedly on the ground, if any disciplinary proceeding or any case pending before this Court, however, without any legal impediment, the respondent has not settled the pensionary benefits immediately after retirement of the petitioner, however, the same was settled only in the year 2021, for which, the petitioner is entitled for interest from the year 2016 to 2021 .

6. In view of the same, the impugned orders are liable to be set aside and they are accordingly, set aside. The respondent concerned is directed to pay 6% simple interest from 30.04.2016, till the date of settlement of terminal benefits and the same shall be paid to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.



7. This Writ Petition is disposed of, with the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

17.12.2025

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

- 1.The Secretary to Government,
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Municipality & Water Supplies Department,
Fort St.George, Chennai.
- 2.The Assistant Director,
Auditing (Panchayat & Municipalities)
Kuralagam, 4th Floor,
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M.DHANDAPANI, J.

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