



W.P.No.17152 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.04.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.17152 of 2023

S. Balakrishnan

.. Petitioner

Versus

1.The Principal Secretary to Government,
Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai – 9

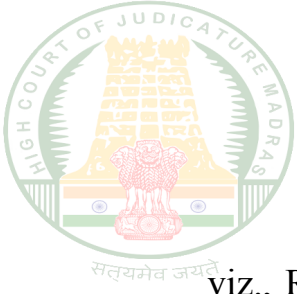
2. The District Collector,
Villupuram District,Villupuram.

3 . The Accountant General (A&E),
Chennai – 600 018.

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution

of India to issue a Writ of Mandamus directing the respondents to pay the differential interest between the respective rates applied by them and 12% gratuity amount from 01.04.2004 till 21.04.2017 and 12% interest on Encashed Leave Amount Viz., Rs.79,877/- from 01.08.1996 till 22.02.2017, 12% interest on commutation amount viz., Rs.72,741/- from 01.08.1996 till 23.06.2017,12% interest on balance of pension amount



W.P.No.17152 of 2023

WEB COPY

viz., Rs.5,57,008/- from 01.08.1996 till 23.06.2017 and 12% interest on Welfare fund amount viz., Rs.10,021/- from 01.08.1996 till 30.06.2017 and grant such other relief and pass orders.

For Petitioner : Mr.R. Rajarajan

For Respondents 1&2 : Mr.T.M.Rajangam, GA

For Respondent-3 :Mrs.J. SreeVidhya

ORDER

This petition is filed to issue a of Writ of Mandamus directing the respondents to pay the differential interest between the respective rates applied by them and 12% gratuity amount from 01.04.2004 till 21.04.2017 and 12% interest on Encashed Leave Amount Viz., Rs.79,877/- from 01.08.1996 till 22.02.2017, 12% interest on commutation amount viz., Rs.72,741/- from 01.08.1996 till 23.06.2017,12% interest on balance of pension amount viz., Rs.5,57,008/- from 01.08.1996 till 23.06.2017 and 12% interest on Welfare fund amount viz., Rs.10,021/- from 01.08.1996 till 30.06.2017 and grant such other relief and pass orders.



W.P.No.17152 of 2023

WEB COPY

2. Brief facts relating to the disposal of the case is as follows:

2.1. The facts of the case is that the petitioner joined in the Respondent/Department on 31.07.1958 and retired as a Accountant on 31.07.1996. The Respondents has paid the terminal benefits of the petitioner belatedly and there was some discrepancy while arriving the terminal benefits, due to which the petitioner filed W.P.No.22387 of 2017. At the time of hearing the said Writ Petition, the respondents therein submitted that on the basis of the representation given by the petitioner a proposal was sent by the Commissioner, Rural Development to the Principal Secretary. Considering the said submission made by the respondent this Court vide order dated 1.11.2022 directed the first respondent therein to consider the said proposal and pass appropriate orders within a period of 12 weeks.

2.2 Pursuant to which the first respondent passed an order on 23.01.2023 and disbursed the interest only for gratuity from 01.11.1996 to 28.02.2017 and calculated 12% interest from 01.08.1996 to 31.03.2004 and for the subsequent period from 01.04.2004 to 28.02.2017 the interest was calculated between 8% and 8.8% on the basis of interest awarded by the General Provided Fund.



W.P.No.17152 of 2023

WEB COPY

2.3.The grievance of the petitioner is that the Respondents are not entitled to reduce the interest from 12% to 8.8% from 01.04.2004 which is in violation of G.O.Ms.No.122 Finance (Pension) Department dated 20.02.1995. Furthermore the respondents paid the interest till 28.02.2017, but they ought to have calculated till 21.04.2017, which is the actual date of disbursement. It is also pertinent to note that the respondents have also not paid interest for the encashed leave,Commutation amount, balance of pension amount and on Welfare Fund amount. Therefore, the petitioner has given a representation to the respondents in this regard. However, the same was not considered till date, which has given rise to this petition.

3. When the matter is taken up for hearing the learned Government Advocate appearing for the respondent has produced a proceedings of the second respondent in Roc.No.PA4/942332/2023, Dated 02.04.2025, wherein it was stated that they have arrived the amount payable to the petitioner and paid the same.



W.P.No.17152 of 2023

WEB COPY

4. On going through the above it is made clear that the Respondents have considered the plea of the petitioner and passed the Roc.No.PA4/942332/2023, dated 02.04.2025, wherein they have stated that they have arrived at the amount due to the petitioner and credited the same to the petitioner's account. However, the petitioner can approach the authorities concerned, if he has any discrepancy with regard to the amount paid to him.

5. With the above directions, this writ petition stands disposed of.

No order as to costs.

09.04.2025

Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

smn



WEB COPY



W.P.No.17152 of 2023

To

1.The Principal Secretary to Government,
Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Fort St. George, Chennai – 9

2. The District Collector,
Villupuram District,Villupuram.

3 . The Accountant General (A&E),
Chenna9 – 600 018.



WEB COPY



W.P.No.17152 of 2023

V.BHAVANI SUBBAROYAN, J.

smn

W.P.No.17152 of 2023

09.04.2025