



WEB COPY



WP.No.21889 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2025

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.21889 of 2019

Rajavarapu Sambaiah
S/o. M. Sivaiah No. 11-852 2nd Lane
Munuswamy Nagar Old Andhra Bank Road
Nagaralu Guntur 522034 Andhra Pradesh ... Petitioner

Vs.

The General Manager
Indian Bank Head Office 524 260
Avvai Shanmugam Salai,
Royapettah, Chennai 600 014. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to pay interest on the basis of petitioner representation dated 11.03.2019 and to pay interest on the amount of retirement benefits for this delay period as the amount was lying with the respondent.

For Petitioner : Mr.R.Mohamed Fazil Hafriaf for
M/S.Saravanan and Sathish.

For Respondent : M/s.R.Sumathy



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ORDER

The petitioner has filed this petition seeking a direction against the respondents to pay interest based on the petitioner's representation dated 11.03.2019 and to pay interest on the delayed retirement benefits, as the said amount was lying with the respondent during the period delayed.

2. Heard Mr.R.Mohamed Fazil Hafraf, learned counsel for the petitioner, M/s.R.Sumathy, learned counsel for the respondent and perused the materials available on record.

3. The petitioner had retired from service on his attaining the age of superannuation on 15.02.2013. However, the petitioner's gratuity and leave encashment have been settled only in the month of October 2018. Due to the delay in settling the rightful retirement dues payable to him, the petitioner submitted a representation to the respondent, for claiming interest for the period of delay.

4. Despite the petitioner has attained the age of superannuation, it appears



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that he faced issues regarding the community certificate submitted to the department. The petitioner was allowed to retire only on 10.09.2018, with effect from 28.02.2013, and his terminal benefits were subsequently settled on 26.10.2018. As the petitioner was undergoing proceedings before the Social Welfare Department and later an appeal has been filed before the Principal Secretary of Government, Andhra Pradesh, regarding his community certificate, he was not allowed to retire on his reaching the age of superannuation

5. As the respondent did not cause any delay after the petitioner was allowed to retire in the year 2018, the petitioner's claim for interest due to the alleged delay cannot be entertained.

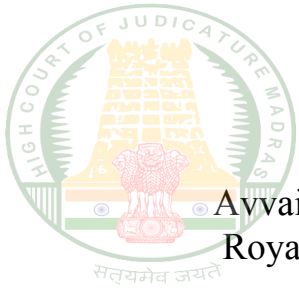
In the result, this writ petition stands **dismissed**. No costs. Consequently, the connected Miscellaneous Petitions if any is closed.

14.02.2025

Index : Yes
Internet : Yes/No
Speaking/Non- Speaking
Neutral: Yes/No
jrs

To
The General Manager
Indian Bank Head Office 524 260

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Ayyai Shanmugam Salai,
Royapettah, Chennai 600 014.

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R.N.MANJULA, J.
jrs

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