



W.P.No.24284 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.24284 of 2025

R.C.Senthilkumaran

... Petitioner

Vs.

1.The Secretary to Government,
Highways and Minor Ports Department,
Fort St. George,
Secretariat,
Chennai – 600 009

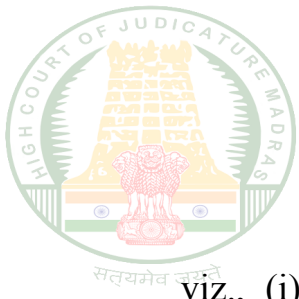
2.The Director General,
Department of Highways,
No.76, Sardar Patel Road,
Little Mount, Guindy,
Chennai – 600 025

3.The Superintending Engineer,
Department of Highways,
Construction and Maintenance,
Salem – 636 004

4.The Divisional Engineer,
Office of the Divisional Engineer,
Department of Highways (Construction & Maintenance),
Krishnagiri – 635 001

... Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus, directing the Respondents to pay
interest at the rate of 18% p.a. on the belated payment of retirement benefits



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viz., (i) Rs.1126,672/- and Rs.3,12,952/- towards encashment of Earned Leave and encashment of Unearned Leave of Private affairs, respectively on 16.09.2024 and (ii) Rs.43,464/- on 26.11.2024 towards Special Provident Fund and (iii) Rs.30,988/- on 29.11.2024 towards 7th Pay Commission Arrears to the Petitioner, from the date of his retirement on 31.05.2023 till the respective dates of its payment, within a time stipulated by this Court.

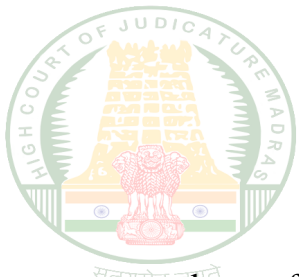
For Petitioner : Mr.R.Suresh Kumar
for M/s.K.M.Vijayan Associates

For Respondents : Mr.R.U.Dinesh Raj Kumar
Additional Government Pleader

ORDER

By consent of both the learned counsel for the parties, the Writ Petition is taken up for final disposal, at the admission stage itself.

2. The instant writ petition has been filed with a prayer for issuing a Mandamus, directing the Respondents to pay interest at the rate of 18% p.a. on the belated payment of retirement benefits viz., (i) Rs.1126,672/- and Rs.3,12,952/- towards encashment of Earned Leave and encashment of Unearned Leave of Private affairs, respectively on 16.09.2024 and (ii) Rs.43,464/- on 26.11.2024 towards Special Provident Fund and (iii) Rs.30,988/- on 29.11.2024 towards 7th Pay Commission Arrears to the Petitioner, from the date of his retirement on 31.05.2023 till the respective



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dates of its payment, within a time stipulated by this Court.

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3. Heard the learned counsel for both sides and perused the materials available on record.

4. The learned counsel for the petitioner would submit that the petitioner has joined in the services of the Respondents-Highways Department on 31.10.1981 as Draughtsman and he was promoted to the post of Junior Engineer on 18.02.2004 and further he promoted to the post of Assistant Divisional Engineer on 02.06.2014. The learned counsel for the petitioner would submit that after rendering 41 years of service, he retired from service on 31.05.2023. However, the terminal benefits were paid to him on three occasions viz., 16.09.2024, 26.11.2024 and 29.11.2024, but without any interest. According to the petitioner, he is entitled for interest upon the delayed payment.

5. Per contra, the learned Additional Government Pleader would strongly object the contention of the petitioner and would contend that there is no delay on their part and the amount has been settled as and when they



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get concurrence from the Accountant General Office. Hence, prayed to dismiss the present writ petition.

6. I have given my anxious consideration to the submissions made on either side.

7. Though the learned counsel for the petitioner would contend that there is a delay in settling the payment, the respondents would submit that there is no delay and as and when they get concurrence from the Accountant General Office, they had settled the amount.

8. In such view of factual position, this Court do not want to go into the disputed facts. However, this Court gives liberty to the petitioner to give a representation to the respondents, within a period of two weeks from the date of receipt of copy of this order. On receipt of such representation, the respondents are directed to consider the same and pass orders on it's own merits and in accordance with law, within a further period of four weeks. It is made clear that if the respondents arrived at the conclusion that there is a delay, then the petitioner is entitled for a statutory interest as provided under the respective statutes.



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9. In the result, the Writ Petition is disposed of. No costs.

04.07.2025

Index : Yes/No
Speaking order /Non Speaking Order
Neutral Citation : Yes/No
dm

To

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C.KUMARAPPAN, J.

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