



W.P.(MD) Nos.6334 and 6335 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2025

CORAM:

THE HONOURABLE Mr.JUSTICE BATTU DEVANAND

W.P.(MD)Nos.6334 and 6335 of 2025

K.Vembu

... Petitioner

in WP(MD)No.6334 of 2025

S.Chellappa

...Petitioner

in WP(MD)No.6335 of 2025

Vs.

1.The Principal Secretary to Government,
Revenue and Disaster Management Dept.,
Secretariat, Chennai – 600 009.

2.The District Collector,
Tirunelveli District,
Tirunelveli – 627 009

3.The District Revenue Officer,
District Collectorate,
Tirunelveli – 627 009.

..Respondents
in Both Writ Petitions

PRAYER in WP(MD)No.6334 of 2025: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to pass suitable order on petitioners representations dated 06.12.2023 and 19.09.2024 for interest for delayed payment of Gratuity from 01.06.2007 to 31.10.2023 within a time stipulated by this Court.



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PRAYER in WP(MD)No.6335 of 2025: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to pass suitable order on petitioners representations dated 06.12.2023, 24.10.2024, 19.11.2024 and 02.01.2025 for interest for delayed payment of Gratuity from 01.07.2010 to 30.11.2023 within a stipulated time as may be fixed by this Honble Court

In both Writ Petitions:

For Petitioners : Mr.S.Stalin Muthu

For Respondents : Mr.D.Sachi Kumar
Additional Government Pleader

COMMON ORDER

These Writ Petitions have been filed seeking a Writ of Mandamus directing the respondents to pass suitable order on the petitioners' representations for interest for delayed payment of Gratuity within a time stipulated by this Court.

2.Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.



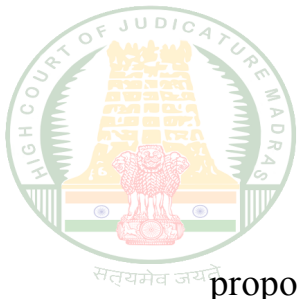
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3. The learned counsel for the petitioners would submit that against the inaction of the respondents in passing appropriate orders on the representations of the petitioner in WP(MD)No.6334 of 2025 dated 06.12.2023 and 19.09.2024 and the representations of the petitioner in WP(MD)No.6335 of 2025 dated 06.12.2023, 24.10.2024, 19.11.2024 and 02.01.2025, these writ petitions have been filed.

4. The learned counsel for the petitioners would submit that the petitioners are eligible for interest for the belated payment of gratuity under Rule 45A(1-A)i(a) of Tamil Nadu Pension Rules, 1978. He also contends that as per G.O.Ms.No.173, Finance (Pension) Department dated 01.04.2024, the petitioners are entitled for compound interest also for belated payment of gratuity from the date of their retirement

5. On the other hand, the learned Additional Government Pleader appearing for the respondents on instructions submits that the second respondent has considered the request of the petitioners and sent a



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proposal to the first respondent and it is pending with the first respondent.

6. Having heard the submission of the respective counsels and on careful perusal of the materials available on record, there is no dispute with regard to the admitted facts in this case. Admittedly, there is a delay in payment of gratuity to the petitioners. As such, the petitioners are entitled for the interest as per Rule 45A(1-A)i(a) of Tamil Nadu Pension Rules, 1978 and as per G.O.Ms.No.173, Finance (Pension) Department dated 01.04.2024. As submitted by the learned Additional Government Pleader, the second respondent sent proposal to the first respondent and it is pending for consideration before the first respondent.

7. Under these circumstances, in my considered view, it is appropriate and desirable to direct the first respondent to consider the proposal sent by the second respondent for payment of interest for the belated payment of gratuity to the petitioners, within a stipulated time to meet the ends of justice.



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8. Accordingly, these writ petitions are disposed of with a direction to the first respondent to pass orders granting interest for belated payment of gratuity to the petitioners within a period of two weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

10.03.2025

Index: Yes/No

Internet: Yes/No

CM

To

1.The Principal Secretary to Government,
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BATTU DEVANAND, J.

CM

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