



W.A.(MD)No.1995 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.08.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.1995 of 2025
and
C.M.P.(MD)No.11474 of 2025**

1.The Chief Educational Officer,
Kanyakumari District.

2.The District Educational Officer,
Nagercoil, Kanyakumari District.

... Appellants

Vs.

1.L.Reeta Mary

2.The Accountant General of Tamil Nadu,
Office of the Accountant General,
361, Anna Salai, Teynampet,
Chennai - 600 018.

3.The Correspondent,
Ringletaube Higher Secondary School,
Mylaudy - 629 403,
Kanyakumari District.

... Respondents



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Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.11437 of 2022 dated 21.10.2024 on the file of this Court.

For Appellants : Mr.C.Venkateshkumar,
Spl. Government Pleader.

For Respondent : Mr.G.Sailendra Babu for R1
No appearance for R3

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard the learned Special Government Pleader for the appellant and the learned counsel for the first respondent.

2.The department is on appeal challenging the order dated 21.10.2024 passed by the learned Single Judge in W.P.(MD)No.11437 of 2022 filed by the first respondent herein.

3.The first respondent herein was working as Headmaster in the third respondent school. She retired from service in 2019. She was however reemployed and relieved on 31.05.2020. Her terminal benefits



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were not settled. Hence, she filed the aforesaid writ petition. The learned Single Judge disposed of the writ petition in the following terms:-

“9.In this case, though the petitioner retired on 31.05.2020, the earned leave and un-earned leave amount was not settled to the petitioner till date. According to the respondents, a sum of Rs.36,567/- is the disputed amount, for which, the petitioner is liable and the same has to be paid by him and because of this meagre amount of Rs.36,567/-, the amount of sum of Rs.21,82,455/- was withheld by the respondents without any valid or genuine reason.

10. In view of the above facts and circumstances of the case, the third respondent is directed to settle a sum of Rs.21,82,455/- along with 5% of interest per annum in regard to earned leave and un-earned leave and re-employment salary as stated supra, within a period of eight (8) weeks from the date of receipt of a copy of this order. In regard to the disputed / audit objection amount of a sum of Rs.36,567/-, the petitioner is directed to give a representation to the second respondent / Chief Educational Officer, who may consider the same on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.”



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4.The only question that calls for consideration in this writ appeal is whether the liability to pay interest can be fastened on the department. It is true that the writ petitioner retired in the year 2019. But then, on account of dispute with the management, the proposal came to be submitted only on 10.03.2021. Therefore, it may not be fair to fasten the entire interest burden on the department. The department is obliged to pay interest from the date of receipt of proposal from the management till the date of final settlement. For the earlier period, the liability has to be fastened only on the management.

5.The order of the learned Single Judge is accordingly modified and the writ appeal is partly allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.,) & (K.R.S. J.,)
08.08.2025

NCC : Yes/No
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Kanyakumari District.
- 2.The District Educational Officer,
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