



W.A(MD)Nos. 2057, 2058, 2059, 2060 and 2062 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.08.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND**

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A(MD)Nos. 2057, 2058, 2059, 2060 and 2062 of 2025

and

C.M.P.(MD) Nos. 11781, 11784, 11785, 11786, 11792 and of 2025

1.The Registrar of Co-operative Societies
Kilpauk, Chennai - 600 010.

2.The Managing Director,
Tamil Nadu Co-operative State Agricultural
and Rural Development Bank Ltd,
181, Luz Church Road,
Mylapore, Chennai - 600 004.

... Appellants
(for all cases)

Vs.

1.P. Jothiganesh

...Respondent
In W.A(MD)NO.2057 of 2025

2.S.Nagarajan

...Respondent
In W.A(MD)NO.2058 of 2025



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3.S. Rajasekaran (Died)

1. R. Rajalakshmi

2. Renuga

3. Sundararajan

...Respondents

In W.A(MD)NO.2059 of 2025

4.C. Rathinasamy

...Respondent

In W.A(MD)NO.2060 of 2025

5.D.J. Vinotha

...Respondent

In W.A(MD)NO.2062 of 2025

PRAYER in W.A(MD)No.2057 of 2025 : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed in W.P(MD)No. 14511 of 2022 dated 04.06.2024 and allow the above writ appeal.

PRAYER in W.A(MD)No.2058 of 2025 : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed in W.P(MD)No. 14510 of 2022 dated 04.06.2024 and allow the above writ appeal.

PRAYER in W.A(MD)No.2059 of 2025 : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed in W.P(MD)No. 14509 of 2022 dated 04.06.2024 and allow the above writ appeal.



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PRAYER in W.A(MD)No.2060 of 2025 : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed in W.P(MD)No. 14506 of 2022 dated 04.06.2024 and allow the above writ appeal.

PRAYER in W.A(MD)No.2062 of 2025 : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order passed in W.P(MD)No. 14508 of 2022 dated 04.06.2024 and allow the above writ appeal.

For Appellants : Mr.Ajmal Khan,
Additional Advocate General
Assisted by Mr.V.Om Prakash,
Government Advocate
(for all cases)

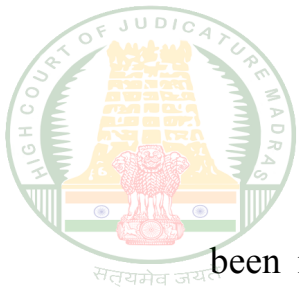
For Respondents : Ms.S.Devasena.
(for all cases)

COMMON JUDGMENT

[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

The above writ appeals have been instituted challenging the writ order, dated 04.06.2024.

2.The learned Additional Advocate General would submit that in respect of gratuity amount, if required, the employee is entitled to claim interest. However, in the present case, the excess amount that has not



been recovered from the gratuity amount, but from the surrender real surrender leave salary. There is no provision to charge interest for belated settlement of surrender leave salary and therefore the writ order impugned is to be set aside.

3.No doubt, Gratuity Act contemplates interest for belated settlement of gratuity and there is no provision to claim interest in respect of recovery from the surrender leave salary. However, this Court is of the considered view that the amount of surrender leave salary recovered was subsequently repaid to the employees and therefore the said amount was with the appellant management and for the said period, the employees would be entitled to get interest. Applying the principles of equity and justice, the employees must be made eligible to get interest for the surrender leave salary amount which was recovered initially and repaid subsequently. For the intervening period, the interest at the rate of 6% would be appropriate and consequently the appellants are directed to pay the interest of 6% from the date of recovery till the date of repayment to the respondent employees, within a period of 12 weeks from the date of receipt of a copy of this order.



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4. Accordingly, the writ appeals are disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

[S.M.S., J.] [G.A.M., J.]
14.08.2025

Index: Yes/No
Internet: Yes/No
NCC: Yes/No

LR

To

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