



W.P.(MD)No.9063 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.9063 of 2025

M.Krishnamoorthy

... Petitioner

Vs.

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

2.The Special Commissioner,
Revenue and Disaster Management,
Chennai – 600 005

3.The District Collector,
Tenkasi District,
Tenkasi – 627 811

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pass suitable order on petitioner's representations dated 08.05.2024, 03.08.2024 and 15.11.2024 for interest for delayed payment of Gratuity from 01.08.2012 to 30.04.2024 within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.S.Stalin Muthu
For Respondents : Mr.P.Subbaraj
Special Government Pleader



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ORDER

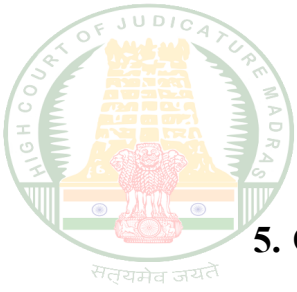
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This Writ Petitions has been filed seeking a Writ of Mandamus directing the respondents to pass suitable order on the petitioners' representations for interest for delayed payment of Gratuity within a time stipulated by this Court.

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

3. The learned counsel for the petitioner would submit that against the inaction of the respondents in passing appropriate orders on the representations of the petitioner, this writ petition is filed.

4. The learned counsel for the petitioner would submit that the petitioner is 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 petitioner is entitled for compound interest also for belated payment of gratuity from the date of their retirement.



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5. On the other hand, the learned Special Government Pleader appearing

for the respondents on instructions submits that the second respondent has considered the request of the petitioner and sent a 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 petitioner. As such, the petitioner is 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 Special 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 petitioner, within a stipulated time to meet the ends of justice.



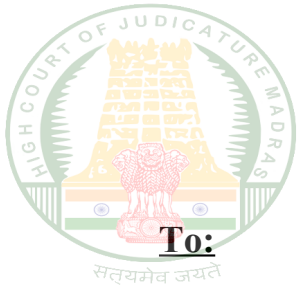
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WEB COPY 8. Accordingly, this Writ Petition is disposed of with a direction to the first respondent to pass orders granting interest for belated payment of gratuity to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

02.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
CM



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To:

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BATTU DEVANAND, J.

CM

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