



W.P.(MD)No.11051 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.11051 of 2025

D.Jeyapaul

... Petitioner

Vs.

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

2.The Commissioner of Revenue Administration,
Revenue and Disaster Management Dept.,
Chepauk, 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 27.01.2024 for interest on delayed payment of Gratuity from 01.07.2007 to 30.11.2023 to the petitioner within a stipulated time as may be fixed by this Court.



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For Petitioner : Mr.S.Stalin Muthu

For Respondents : Mr.D.Sachikumar
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus, directing the respondents to pass suitable order on the petitioner's representation dated 27.01.2024, seeking for interest on delayed payment of Gratuity from 01.07.2007 to 30.11.2023, within a time stipulated by this Court.

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

3. The learned counsel for the petitioner would submit that the Principal Secretary to Government of Industries Department has framed charges against the petitioner, vide his order dated 28.03.2010. Aggrieved by the said order, the petitioner filed writ petition in W.P.No.18613 of 2018 etc., batch cases before the Principal Seat at Madras and the same was allowed by an order dated



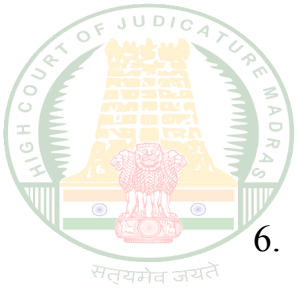
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10.12.2021, directing the respondents therein to disburse all the retirement and

WEB pensionary benefits to the petitioner.

4. In pursuant to the said order, the Additional Chief Secretary to Government of Industries Department passed order in G.O.No.108 dated 18.04.2023, dropped all the charges levelled against the petitioner and consequently the third respondent passed an order dated 10.05.2023, permitted the petitioner to retire from service under FR.56 on superannuation on 31.03.2007AN. He further submit that the Accountant General TamilNadu, Chennai vide his order dated 24.07.2023 has sanctioned Retirement Gratuity of Rs.3,61,169/- and the same has been disbursed to the petitioner on 09.12.2023 after lapse of 16 years 5 months.

5. 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 for belated payment of Gratuity from the date of his retirement.



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6. On the other hand, the learned Additional Government Pleader appearing for the respondents on instructions submits that the second respondents have considered the request of the petitioner and sent a proposal to the first respondent and it is pending with the first respondent.

7. 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 Additional Government Pleader, the second respondent sent a proposal to the first respondent and it is pending for consideration before the first respondent.

8. 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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9. Accordingly, this writ petition is disposed of with a direction to the first respondent to pass orders granting interest for the 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.

21.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



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BATTU DEVANAND, J.

gvn

To:

- 1.The Principal Secretary to Government,
Revenue and Disaster Management Dept.,
Secretariat, Chennai-600 009.
- 2.The Commissioner of Revenue Administration,
Revenue and Disaster Management Dept.,
Chepauk, Chennai-600 005.
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