



W.P.No.9731 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

CORAM

**THE HONOURABLE MR JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR.JUSTICE K.KUMARESH BABU**

**WP No. 9731 of 2025 and
WMP No. 10905 of 2025**

1. The Union of India,
Rep. By the General Manager,
Southern Railway,
Park Town,
Chennai – 600 003.

2. The Chief Personnel Officer,
Southern Railway,
Park Town,
Chennai - 600 003.

Petitioners

Vs

L. Veerananarayanan

Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records of the Hon'ble Tribunal in its impugned order dated 26.02.2024 passed in O.A.No.70 of 2022 by the Hon'ble Central Administrative Tribunal, Chennai Bench and quash the same.

For Petitioners : Mr.M.Karthikeyan

For Respondent : Mr.L.Chandrakumar



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ORDER

(Order of the Court was made by C.V.KARTHIKEYAN, J.)

The respondents in O.A.No.70 of 2022 aggrieved by an order dated 26.02.2024 passed by the Central Administrative Tribunal, Chennai Bench have filed the present appeal.

2.O.A.No.70 of 2022 had been filed by the respondent herein, L.Veeranarayanan seeking payment of interest in accordance with the circular No.F (E) III/2002/PN1/17 dated 06.11.2008 on delayed terminal benefits including pension from 01.06.2016 till 29.11.2016 and also interest for belated payment of Leave Salary, DCRG, Commutation for the period between 31.05.2016 and 13.10.2017.

3.The respondent had been appointed in Southern Railways in the year 1976 as a Commercial Clerk under the ST quota through Railway Service Commission. He retired from service on attaining the age of superannuation on 31.05.2016 as Deputy Chief Commercial Manager, after serving 40 years. His settlement dues were withheld on the ground that the caste certificate which he had produced was to be verified. The dues were settled only on 13.10.2017, after 17 months. Claiming that the delay was not justified,

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O.A.No.70 of 2022 had been filed seeking interest for the belated payment.

It was his contention that the community certificate had been produced at the time of his appointment and had been verified and there was no necessity for re-verification by the State Level Scrutiny Committee. It was contended that the retirement benefits should have been paid without any delay and since they had been paid with delay, interest must be granted for the belated period.

4.It was however argued by the petitioners herein who were the respondents before the Tribunal that complaints had been received that 42 employees of the Southern Railways had submitted bogus ST community certificates including the respondent herein and his three brothers. Thereafter, the respondent was directed to submit his community certificate, but he did not produce the same till April 2016. There was no time left to verify the genuineness of the certificate before the retirement of the respondent and thereafter, immediately after the same had been verified and held to be genuine, the retirement benefits had been released. It had been contended that the delay was neither wilful nor wanton, but only owing to the procedures adopted.



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5.The only issue to be decided is whether the belated payment of the retirement benefits including Pension, DCRG and commutation were owing to bonafide reasons and whether the reasons putforth by the petitioners herein can be accepted or whether the interest should be granted for the belated payment.

6.In the case of *State of West Bengal Vs. Haresh C. Banerjee & Ors* reported in (2006) 7 SCC 651, the Hon'ble Supreme Court while examining the right of an individual to receive Pension, DCRG and other retirement benefits had held that they were recognised as a right to property. It had been held as follows:

“Para 4: Pension is not a bounty payable on the sweet will and the pleasure of the Government and to receive pension is a valuable right of a government servant is well - settled legal proposition”.

7.In *State of Kerala and Others Vs. M.Padmanabhan Nair*, reported in 1985 (1) SLR 750, the Hon'ble Supreme Court held as follows:

“Pension and gratuity are no longer any bounty to be disbursed by the Government to its employees on their retirement but have become, under the decisions of the Court, valuable rights and property in



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their hands and culpable delay in settlement and disbursement thereof must be visited with the penalty of payment of interest at the current market rate till actual payment”.

8.In the instant case, the respondent had been employed for 40 years and had produced his community certificate at the time of his initial appointment, which had also been scrutinised. Subsequent screening just a few days prior to his retirement was undertaken only because of a complaint received. There was an obligation on the part of the petitioners to first examine the genuineness of the complaint.

9.It is to be noted that after the matter had been referred to the State Level Scrutiny Committee, there has been an inordinate delay in verifying the genuineness of the certificate. Ultimately, it was found that the certificate produced by the respondent was genuine and there was no reason to doubt its authenticity. It is therefore clear that the petitioners had indulged in a futile exercise and an exercise which could also be termed as initiated with vendetta just prior to attaining the age of superannuation by the respondent. It is also to be noted that the State Level Scrutiny Committee had confirmed that the respondent belongs to Hindu Kammara ST community and the certificate issued by the Tahsildar, Madurai (North) in the year 1975 was genuine.



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10.In view of the said categorical finding, we find no reason to interfere with the order of the Tribunal. The Tribunal had granted only 8% interest for the belated payment, while interest should have been granted at the rate determined under the Statute.

11.In view of the above reasons, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

(C.V.K.J.,) (K.B.J.,)
[22.01.2026]

Index : Yes / No
Neutral citation : Yes / No
Speaking / Non-speaking order
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To
The Central Administrative Tribunal,
Chennai Bench.



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