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Writ Petition Nos.13425, 13431 & 32791 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON 21.01.2026	PRONOUNCED ON 10.02.2026
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CORAM

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

**Writ Petition Nos.13425, 13431 & 32791 of 2024
and W.M.Ps.14593, 14596 & 35625 of 2024**

W.P.No.13425 of 2024

1.The Indian Council of Medical Research,
Represented by its Director-General and
Secretary to Department of Health Research
Ansari Nagar, New Delhi – 110 029.

2.The Director,
NIRRH-FU-ICMR,
J.M.Street,
Parel, Mumbai – 400 012.

... Petitioners

Vs

1.V.Shanthi Balasubramaniam,

2.Union of India,
Represented by Secretary to Government,
Department of Health Research,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi – 110 001.

3.Union of India,
Represented by Secretary to Government,



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Ministry of Finance,
North Block, New Delhi – 110 001.

... Respondents

W.P.No.13431 of 2024

1.The Indian Council of Medical Research,
Represented by its Director-General and
Secretary to Department of Health Research
Ansari Nagar, New Delhi – 110 029.

2.The Director,
NIRRH-FU-ICMR,
J.M.Street,
Parel, Mumbai – 400 012.

3.The Office-in-Charge,
Indian Council of Medical Research,
Human Reproduction Research Centre (HRRC),
Indian Council of Medical Research, Chennai.

... Petitioners

Vs

1.Dr.ShyamalaBalasubramaniam

2.Union of India,
Represented by Secretary to Government,
Department of Health Research,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi – 110 001.

3.Union of India,
Represented by Secretary to Government,
Ministry of Finance,
North Block, New Delhi – 110 001.

... Respondents

W.P.No.32791 of 2024

1.The Indian Council of Medical Research,



Writ Petition Nos.13425, 13431 & 32791 of 2024

Represented by its Director-General and
Secretary to Department of Health Research
Ansari Nagar, New Delhi – 110 029.

2.The Director,
NIRRH-FU-ICMR,
J.M.Street,
Parel, Mumbai – 400 012.

3.The Office-in-Charge,
Indian Council of Medical Research,
Human Reproduction Research Centre (HRRC),
Indian Council of Medical Research, Chennai.

... Petitioners

Vs

1.Dr.Wills Sheela

2.Union of India,
Represented by Secretary to Government,
Department of Health Research,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi – 110 001.

3.Union of India,
Represented by Secretary to Government,
Ministry of Finance,
North Block, New Delhi – 110 001.

... Respondents

PRAYER in W.P.No.13425 of 2024:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records from the Central Administrative Tribunal, Chennai relating to its order dated 21.09.2023 in OA/310/00726/2022 and quash the same and pass further orders.



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PRAYER in W.P.No.13431 of 2024:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records from the Central Administrative Tribunal, Chennai relating to its order dated 21.09.2023 in OA/310/00334/2022 and quash the same and pass further orders.

PRAYER in W.P.No.32791 of 2024:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records from the Central Administrative Tribunal, Chennai relating to its order dated 21.09.2023 in OA/310/00337/2022 and quash the same and pass further orders.

In all W.Ps.

For Petitioners : Mr.K.Srinivasa Murthy

For R1 : Mr.C.Vigneswaran

For RR2 & 3 : No appearance

COMMON ORDER

(Order of the Court was made by Mr.K.KUMARESH BABU.,J.)

The lis involved in these batch of Writ Petitions is as to whether the first respondent in the respective Writ Petitions are entitled to interest for the belated payment of their terminal benefits and hence, with the consent of the respective learned counsels are taken up together.



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2. Heard Mr.K.Srinivasa Murthy, learned counsel for the petitioners and Mr.C.Vigneswaran, learned counsel appearing on behalf of the first respondent in the respective Writ Petitions.

3. Mr.K.Srinivasa Murthy, learned counsel for the petitioners would submit that the first respondent in the respective Writ Petitions were working on *ad hoc* basis in the respective posts. They had approached the Central Administrative Tribunal seeking for regularisation wherein by order dated 04.12.2001, the petitioners were directed to consider their case for regularisation. Being aggrieved against the same, the petitioners had approached this Court by filing Writ Petitions which came to be dismissed and the same has also been affirmed by dismissal of the Special Leave Petition by the Hon'ble Apex Court.

4. In the interregnum, the first respondent had superannuated from service. Alleging non implementation of the orders of this court, a Contempt Petition was filed before this Court. Pending the Contempt proceedings, regularisation orders were passed regularising the first respondent from the



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date of their initial appointment and recording the same, the Contempt Petitions were closed with an observation that they will be entitled for pension under the old pension regulations. Alleging non-compliance of payment of pension, a further Contempt Petitions came to be filed, wherein directions were issued to calculate the pensionary benefits as per the old pension scheme along with the arrears. Based upon the said directions, pensionary benefits were also disbursed. Recording the same, the Contempt Petitions were closed.

5. While that being so, the respective first respondent had sent representations seeking interest on the retirement benefits which was rejected by the petitioners. Challenging the same, the first respondent approached the Central Administrative Tribunal seeking 12% interest on the retirement benefits that had been paid belatedly. This claim of the first respondent was contested by the petitioners, however, under the impugned orders, the Tribunal has issued direction to pay 6% interest per annum on the belated payments.



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6. He would vehemently contend that in none of the orders, this Court had directed payment of interest. But, however as a passing remark had included the work “*interest*” in its order and this would not entitle the first respondent for payment of interest. He would submit that the regularisation itself was made pursuant to the litigation raised by the first respondent and therefore there was no delay on the part of the petitioners in disbursing the terminal benefits and hence, they are also not liable to pay the interest. Hence, he seeks indulgence of this Court with the orders impugned herein.

7. Learned counsel for the petitioners would further rely upon the order of this Court in Cont.P.No.1465 of 2016 dated 25.06.2019 wherein pursuant to the direction issued on 01.02.2017, recording the payment of pensionary benefits to close the Writ Petitions.

8. Countering his arguments, Mr.C.Vigneswaran, learned counsel appearing on behalf of the first respondents in the respective Writ Petitions would rely upon the direction issued by this court in Cont.P.No.1465 of 2016 dated 01.02.2017 would submit that there has been a specific direction to work out the pensionary benefits payable to the first respondent along



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with arrears and interest on the said amount. However, recording the payment of the pensionary benefits in the very same Contempt Petition, by order dated 25.06.2019, this Court had closed the Contempt Petition leaving open to work out the appropriate remedies if there is grievances on the side of the first respondent. As there was a specific direction issued by this Court in the Contempt Petition in its order dated 01.02.2017 with payment of interest and as the interest has not been paid and on the liberty granted by this Court in its further order dated 25.06.2019, the first respondent had approached the Tribunal in the respective applications, wherein the Tribunal had only granted 6% interest on the belated payment. Even though, it is lesser than the statutory interest which the first respondent is entitled to, however being satisfied with the interest granted, the respective first respondents had not challenged the said order. Hence, he would submit that there is no necessity to interfere with the orders impugned in these Writ Petitions.

9. We have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record.

10. The facts with regard to regularisation and various other orders



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passed by this Court are not disputed by the learned counsels appearing on either side. The only issue is as to whether the respective first respondents are entitled to payment of interest on the belated disbursal of their respective terminal benefits.

11. By order dated 01.02.2017 in Cont.P.No.1465 of 2016, there has been a specific direction issued by this Court with regard to the payment of pensionary benefits under the old pension scheme with a further direction to workout the pensionary benefits payable along with arrears and interest on the said amount which is to be paid on or before 01.03.2017. Recording the payment of pensionary benefits, the Contempt Petition was closed leaving it open to the petitioners there in who are the first respondent in the respective Writ Petitions to work out their remedy if they have any other grievances. Thereafter, the first respondent also had made a representation seeking for interest as per the directions issued on 01.02.2017 have been negated by the petitioner. They had approached the Tribunal challenging the said rejection, wherein the Tribunal by placing reliance upon the directions issued by this Court in 01.02.2017 in Cont.P.No.1465 of 2016 had directed the payment of interest at the rate of 6% p.a.



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12. The contention of the learned counsel for the petitioners is that it was only a passing remark/ orbiter is wholly misconceived. A specific direction had been issued by this Court entitling the respective first respondents for arrears along with interest. For better appreciation, the relevant paragraph is extracted hereunder:-

“15. Accordingly, as a last chance, another four weeks time is granted to the respondents to work out the pensionary benefits payable to the petitioners along with arrears and interest on the said amount and pay the same to the petitioner on or before 01.03.2017, failing which, the 4th respondent shall appear before this Court on 01.03.2017.”

13. Even though, by a subsequent order dated 25.06.2019, the Contempt Petition came to be closed recording the payment of pensionary benefits, this Court had given liberty to the respective first respondents to workout their remedy if they have any other grievances. The direction issued by this Court on 01.02.2017 for payment of interest remained the same without any variations. Therefore, we are of the view that the respective first



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respondents are entitled for payment of interest which has been now quantified at 6% p.a. We do not find any infirmity or illegality in the order impugned in these Writ Petitions.

14. In fine, these Writ Petitions stand dismissed and there shall be a direction to the petitioners to comply with the directions issued in the respective impugned orders within a period of eight (8) weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also closed.

(C.V.K.,J.)

(K.B., J.)

10.02.2026

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation:Yes/No
Gba



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To

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- 1.The Secretary to Government,
for The Union of India,
Department of Health Research,
Ministry of Health and Family Welfare,
Nirman Bhawan, New Delhi – 110 001.
- 2.The Secretary to Government,
for The Union of India,
Ministry of Finance,
North Block, New Delhi – 110 001.



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C.V. KARTHIKEYAN., J.
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