



WEB COPY



WA No. 231 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

WA No. 231 of 2026 AND

CMP NO. 2060 OF 2026

1. The General Manager (Admin)
Gratuity Trust Fund,
Tamil Nadu Civil Supplies
Corporation Head Office,
Kilpauk, Chennai 600 010.
2. The Regional Manager
Tamil Nadu Civil Supplies Corporation Regional
Office, Dharmapuri 636705

..Appellants

Vs

G.Nagarajan
S/O. Late Govinda Gounder,
Gudalur Village And Post,
Harur Tk, Dharmapuri Dt - 636 903.

..Respondent

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 10.12.2024 in Writ Petition No.37054 /2024 and thus render justice.

For Appellants :	Mr.Selvaraj C
For Respondent :	Ms.R.Saritha for Mr.J.Bharathi Raja

Judgment

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This writ appeal has been preferred against the order dated 10.12.2024 passed by the learned Writ Court made in W.P.No.37054 of 2024.



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2. The respondent / writ petitioner was working under the appellant Corporation for several decades and retired from service on attaining superannuation on 30.06.2015. After his retirement, though his retiral benefits including gratuity has been paid, the gratuity was calculated only for the period from 10.11.1982 to 30.06.2015 and his period of service from 1978 to 1982, where also he had been working under the very same Corporation was not calculated. In order to include the said period also under the head 'gratuity' and pay the gratuity for the said period with interest, since a representation has been submitted and the same was sought to be considered through the writ petition, when was filed, it was stated before the Writ Court by the learned Standing Counsel for the respondents therein that the request of the petitioner will be considered and 6% interest as claimed by the petitioner for the belated payment of gratuity by including the entire period from 1978 to 1982 also would be paid. That was the sum and substance of the consent given by the Standing Counsel who appeared before the Writ Court. The same was recorded by the Writ Court in paragraph 5 of the impugned order, which reads thus,

" 5. The learned Standing Counsel appearing for the respondents submitted that the representation of the petitioner will be considered and will pay the eligible amount with 6% interest p.a., as per the earlier orders of this Court."

3. Therefore, the learned Judge allowed the said writ petition, directing the appellant Corporation / respondent therein to pay the eligible amount as payable to



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the petitioner along with interest at the rate of 6% per annum for the delay period in settling the said amount within a period of six weeks from the date of receipt of a copy of the order and if the amount is not paid within the time frame fixed by the Court, it will fetch an interest at the rate of 12% per annum from the date on which the amount became due and payable till the date of actual realisation.

4. Since the said order impugned passed by the Writ Court is on the basis of the stand taken by the appellant Department through the Standing Counsel, as has been recorded in Para 5 of the order, which we have extracted herein above, we do not find any reason to interfere with the said order, as it was a consent order, against which no appeal since would lie, this writ appeal is liable to be dismissed and is accordingly dismissed. No costs. Consequently, connected miscellaneous petition is closed. However, it is made clear that the order dated 10.12.2024 in W.P.No.37054 of 2024 passed by the writ Court shall be complied within a period of six weeks from the date of receipt of a copy of this order.

(R.S.K.,J.) (S.S.A.,J.)
03-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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**R.SURESH KUMAR J.
AND
SHAMIM AHMED J.**

KST

To

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