



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD) No.14703 of 2013

V.Murugappan

... Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Muthusamy Nagar,
Thirupathur Road,
Sivaganga, Sivaganga District.

2. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungampakkam High Road,
Chennai - 34.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take immediate action to settle the Petitioner's Gratuity amount of Rs. 2,96,456/-immediately with the interests thereon for the period of delay i.e. 9 years.

For Petitioner : Mr.S.Arulandu

For Respondents : Mr.R.Sethuraman
Special Government Pleader

O R D E R

The grievance of the writ petitioner is that the gratuity amount due to him has not been disbursed so far. The writ petitioner was employed in the Department of Hindu Religious and Charitable Endowments Department, and retired from service on 30.11.2004 on attaining the age of superannuation. However, the gratuity amount has not been settled on account of the fact that the a criminal case is pending against the writ petitioner.

2.However, the respondents are bound to verify the nature of the criminal case, thereafter, for initiating appropriate action to consider the case of the writ petitioner for the settlement of his gratuity amount due to him in accordance with the rules in



force. In this regard, the writ petitioner had submitted a representation to the second respondent on 20.04.2013 and the same is yet to be considered.

3. Thus, without going into the merits of the matter, the second respondent is directed to consider the representation submitted by the writ petitioner on 20.04.2013 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all the relevant documents along with the order copy passed in this writ petition.

4. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Muthusamy Nagar,
Thirupathur Road,
Sivaganga, Sivaganga District.
 2. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungampakkam High Road,
Chennai - 34.
- + 1 cc TO Mr.S.Arulandu , Advocate in SR No. 54460
+ 1 cc TO The Special Government Pleader in SR No. 54579

mm
AE/JC/SAR1/11.04.2018/2P/5C

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