

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 05.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE**W.P. (MD) Nos.8243 to 8248 of 2019**

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Sivalingam	... Petitioner in WP (MD) 8243/19
Soundararajan	... Petitioner in WP (MD) 8244/19
Dhanabalan	... Petitioner in WP (MD) 8245/19
Marimuthu	... Petitioner in WP (MD) 8246/19
Gunasekaran	... Petitioner in WP (MD) 8247/19
Shiyamala,	... Petitioner in WP (MD) 8248/19

Vs.,

- 1) The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Chennai - 34
 - 2) The Joint Commissioner /
Executive Officer,
Arulmighu Dhandayuthapani
Swamy Thirukovil,
Palani, Dindigul District.
 - 3) The Controlling Authority,
Under Payment of Gratuity Act /
Assistant Commissioner of Labour,
No.8, Nehruji Nagar, Dindigul.
- ... Respondents
(in all Wps)

PRAYER IN WP (MD) NO.8243 OF 2019: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent more particularly the respondents 1 and 2 to pay a sum of Rs.6,11,631/- with simple interest at the rate of 10% from 30.06.2018 till the date of payment by considering the petitioner's representation dated 16.02.2019 within a time frame.

Prayer in WP (MD). 8244/ 2019 :

<https://hcservices.ecourts.gov.in/hcservices/> Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of



Mandamus directing the respondents more particularly the respondents 1 & 2 to pay a sum of Rs.4,11,969/- with simple interest at the rate of 10% from 30.04.2015 till the date of payment by considering the petitioners representation dated 19.02.2019

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Prayer in WP(MD). 8245/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents more particularly the respondents 1 & 2 to pay a sum of Rs.4,74,653/- with simple interest at the rate of 10% from 31/05/2017 till the date of payment by considering the petitioners representation dated 16/02/2019.

Prayer in WP(MD). 8246/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents more particularly the respondents 1 & 2 to pay a sum of Rs.1,91,101/- with simple interest at the rate of 10% from 08.04.2009 till the date of payment by considering the petitioners representation dated 16.02.2019 within a time frame.

Prayer in WP(MD). 8247/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents more particularly the respondents 1 & 2 to pay a sum of Rs.5,18,219/- with simple interest at the rate of 10% from 28.02.2018 till the date of payment by considering the petitioners representation dated 16.02.2019.

Prayer in WP(MD). 8248/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents more particularly the respondents 1 & 2 to pay a sum of Rs.6,42,972/- with simple interest at the rate of 10% from 31.05.2016 till the date of payment by considering the petitioners representation dated 16.02.2019

For Petitioner : Mr.D.Venkatesh
(in all Cases)

For RR 1 & 3 : Mr.M.Jeyakumar,
(in all Cases) Additional Government Pleader

C O M M O N O R D E R

Since the issue involved in all these writ petitions are one and the same, all the writ petitions are disposed of by this common order.

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2. These are batch of writ petitions filed by temple employees for non-payment of gratuity amount to them. By order dated 31.01.2019 in W.P.[MD]No.1084 of 2019, a Division Bench of this Court directed the Commissioner, Hindu Religious and Charitable Endowments Department No.119, Nungambakkam High Road, Chennai, to pay gratuity amount to all the temple employees on or before 15.03.2019.

3. Admittedly in all these cases, despite the expiry of the dead line, gratuity amount was not paid. It is also represented by the learned Additional Government Pleader that a proposal has already been forwarded by the Commissioner, H.R & C.E Department to the Government and the Government has also in principle agreed to pay the gratuity amount and they have also filed an application seeking for extension of time before the Division Bench of this Court.

4. Since there is already a direction by the Division Bench of this Court to disburse the gratuity amount on or before 15.03.2019, this Court gives one more final opportunity to the Commissioner, H.R & C.E., to disburse the gratuity amount payable to the petitioners within a period of four [04] weeks from the date of receipt of a copy of this order.

5. With the aforesaid directions, the **Writ Petitions are disposed of.** However, there shall be no order as to costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

To

1) The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai - 34



2) The Joint Commissioner /
Executive Officer,
Arulmighu Dhandayuthapani
Swamy Thirukovil,
Palani, Dindigul District.

3) The Controlling Authority,
Under Payment of Gratuity Act /
Assistant Commissioner of Labour,
No.8, Nehruji Nagar, Dindigul.

+1 CC to M/s.SPL GP (SR-59543,59528[F] dated 08/04/2019)

+6 CC to M/s.D.VENKATESH, Advocate (SR-59746[F] dated
09/04/2019)

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Common Order made in
W.P. (MD) Nos.8243 to
8248 of 2019
05.04.2019

KM/(25.04.2019) 4P 11C