

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 22.04.2019****CORAM:****THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE****W.P. (MD) Nos.9546 and 9547 of 2019**

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J.Dhak Bagadoor Singh

... Petitioner in
W.P.(MD) No.9546/2019

Lal Bagadoor Singh

... Petitioner in
W.P.(MD) No.9547/2019

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Chennai 600 034

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 both
Writ petitions

PRAYER: Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents more particularly the respondents 1 and 2 to pay a sum of Rs.4,60,334/- and Rs.4,94,772/- respectively with simple interest at the rate of 10% from 30.06.2016 till the date of payment by considering the petitioner's representation dated 16.02.2019 and 19.02.2019 respectively within a time frame.

In both the writ petitions:

For Petitioner : Mr.D.Venkatesh

For Respondents 1 & 3 : Mr.M.Jeyakumar,
Additional Government PleaderFor Respondent No.2 : Mr.V.R.Shanmuganathan
Standing counsel

**C O M M O N O R D E R**

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

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2. The writ petitions have been filed by temple employees for non-payment of gratuity amounts to them. By order dated 31.01.2019 in W.P.[MD]No.1084 of 2019, the 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 both these cases, despite the expiry of the dead line, gratuity amounts were not paid. It is an admitted case that gratuity amounts have not been disbursed by the Commissioner, HR & CE. It is also represented by the learned Additional Government Pleader that a proposal has already been forwarded by the Commissioner, HR & CE Act 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, HR & CE to disburse the gratuity amount payable to the petitioners in both the writ petitions, within a period of four [04] weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Chennai 600 034



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.

+2CC TO MR.D.VENKATESH, Advocate Sr. No. 62283

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.61771

Common order made in
W.P. (MD) Nos.9546 and
9547 of 2019
22.04.2019

NR(CO)

TR (30.04.2019) 3P 7C