



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD) No.4875 of 2020

Umadevi

... Petitioner

/vs./

1.The Commissioner

Hindu Religious and Charitable Endowments
Nungambakkam High Road
Chennai 34

2.The Joint Commissioner

Hindu Religious and Charitable Endowments
Tirunelveli

3.The Assistant Commissioner

Cum Executive Officer
Arulmigu Kutralanathasamy Thirukoil
Courtralam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to disburse the earned leave benefits for 180 days as per G.O.Ms.No.213, Tourism, Culture and Endowments Department, dated 02.09.2013 to the petitioner with interest within the time stipulated by this Court.

For Petitioner

: Mr.S.Venkatesh

For Respondents 1 & 2

: Mr.V.R.Shanmuganathan

Special Government Pleader

For Respondent 3

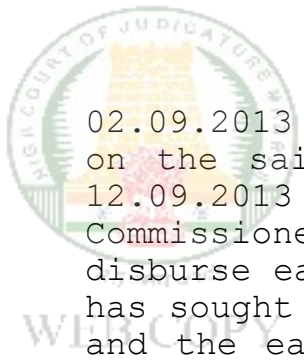
:Mr.S.Manohar

ORDER

The Writ petition has been filed for a direction to the respondents to disburse the earned leave benefits for 180 days as per G.O.Ms.No.213, Tourism, Culture and Endowments Department, dated 02.09.2013 to the petitioner with interest.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The case of the petitioner is that the petitioner's husband was appointed as Accountant in the third respondent temple and he died on 22.01.2017 while he was in duty. The learned counsel for the petitioner would submit that the Government had issued G.O.Ms.No.213, Tourism, Culture and Endowments Department dated



02.09.2013 by enhancing the earned leave from 90 to 180 days. Based on the said G.O, the first respondent issued a proceedings dated 12.09.2013 through which he directed all the respective Joint Commissioners, Assistant Commissioners, Executive Officers to disburse earned benefits as per G.O.Ms.No.213. Though the petitioner has sought for all the benefits, gratuity amount alone was disbursed and the earned leave benefits was not disbursed till date. Hence, the petitioner sent a representation dated 19.12.2019 in this regard and the same is pending. Against which, the present Writ petition has been filed for disbursement of earned leave benefits.

4.Heard the learned counsel for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

5.Considering the limited prayer sought for in the Writ petition and without advertting to the merits of the case, the respondents are directed to dispose the representation of the petitioner, dated 19.12.2019 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is needless to say that the petitioner is directed to send a copy of the representation, dated 19.12.2019 along with this order copy to the respondents.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AS)

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/ /2020

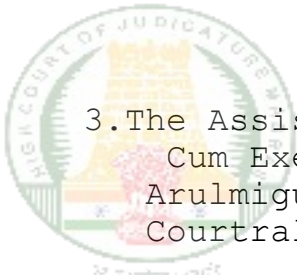
Sub Assistant Registrar(CS)

msa

To

1.The Commissioner
Hindu Religious and Charitable Endowments
Nungambakkam High Road
Chennai 34

2.The Joint Commissioner
Hindu Religious and Charitable Endowments
Tirunelveli



3.The Assistant Commissioner
Cum Executive Officer
Arulmigu Kutralanathasamy Thirukoil
Courtralam

+1 CC to M/s.S.VENKATESH, Advocate (SR-10824[F] dated 10/03/2020)

+1 CC to M/s.S.MANO HAR, Advocate (SR-10809[F] dated 10/03/2020)

W.P. (MD) No.4875 of 2020
09.03.2020

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