



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P (MD)No.6928 of 2011
and
M.P. (MD)No. 1 of 2011

A.S.Sankaran

... Petitioner

Vs.

1. The Assistant Commissioner/Executive Officer,
Arulmigu Sankara Narayana Swamy Thirukovil,
Sankarankovil,
Tirunelveli.

2. Selvaganapathy
(R.2 was impleaded vide court
order dated 12.02.14 made in
M.P.No.1 of 2012)

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus to direct the respondent to pay the pensionary benefits payable to the petitioner for his lengthy service in the temple of Arulmigu Sankara Narayana Swamy Thirukovil, Sankarankovil, Tirunelveli District forthwith.

For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mr.M.P.Senthil
for R.1
: No Appearance for R.2
* * * * *

ORDER

This Writ Petition is filed seeking for issuance of a Writ of Mandamus to direct the first respondent to pay the pensionary benefits payable to the petitioner for his lengthy service in the temple of Arulmigu Sankara Narayana Swamy Thirukovil, Sankarankovil, Tirunelveli District forthwith.



2. The learned Counsel appearing for the petitioner would submit that the petitioner was working in the Home Section of Arulmigu Sankara Narayana Swamy Thirukovil, Sankarankovil and he reached the age of superannuation on 31.10.2010 and handed over all the belongings of the temple to one S.Selvaganapathi, who was transferred to his place and who is none other than the brother of the petitioner, on the same day. Even though the petitioner was retired on 31.10.2010, the first respondent has not taken any steps to disburse the terminal benefits of the petitioner. Hence, the petitioner has approached this Court by filing this writ petition seeking appropriate direction.

3. The learned Counsel appearing for the petitioner would further submit that it would suffice, if the first respondent is directed to consider the representation of the petitioner, dated 03.05.2011, within a reasonable time frame, as fixed by this Court.

4. The learned Counsel appearing for the first respondent would submit that the representation of the petitioner, dated 03.05.2011 would be considered by the first respondent, within a time frame as fixed by this Court.

5. Considering the limited scope of the prayer, as now sought for by the learned Counsel appearing for the petitioner, without going into the merits of the case, the first respondent is directed to consider the representation of the petitioner, dated 03.05.2011 and dispose of the same, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Crl.side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS-)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

The Assistant Commissioner/
Executive Officer,
Arulmigu Sankara Narayana Swamy Thirukovil,
Sankarankovil,
Tirunelveli.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-513[F] dated 07/01/2021)

SSL

TE : 18/01/2021 : 3P/3C

W.P (MD) No.6928 of 2011
06.01.2021