



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

WP(MD) No.16069 of 2021

S.Meenakshi,

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam,
Chennai.

2.The Deputy Commissioner/Executive Officer,
Arulmigu Sankaranarayanawamy Thirukoil,
Sankarankovil,
Thenkasi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the respondents to pay the gratuity to the petitioner along with interest at the rate of 10% for the belated payment of gratuity in the credit of K.Shanmugavel the deceased husband of the petitioner from 01.11.2006 as per the Section 7 of the payment of gratuity Act, 1972 to the petitioner on the basis of petitioner representation dated 11.06.2021.

For Petitioner	:	Mr.P. Rajagopalan
For Respondent No.1	:	Mr.S. Shanmugavel
		Counsel for State
For Respondent No.2	:	Mr.V.R.Shanmuganathan
		Standing Counsel

O R D E R

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondents to pay the gratuity to the petitioner along with interest at the rate of 10% for the belated payment of gratuity in the credit of K.Shanmugavel the deceased husband of the petitioner from 01.11.2006 as per Section 7 of the payment of gratuity Act, 1972 on the basis of petitioner's representation dated 11.06.2021.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

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

4. According to the petitioner, the petitioner has made a



representation to the respondents to pay gratuity to her along with the interest for the belated payment of the gratuity on the death of her deceased husband from 01.11.2006.

5. The learned counsel appearing for the second respondent temple would submit that the said representation is still pending and the same shall be considered at the earliest within a time as stipulated by this Court.

6. Even though the relief sought for in the Writ Petition is for the settlement of the said amount, during the course of argument, the learned counsel for the petitioner restricted his prayer by stating that it would suffice to direct the second respondent to consider the petitioner's representation dated 11.06.2021.

7. In view of the above said submissions made by the parties concerned, this Court is inclined to direct the second respondent temple to consider the petitioner's representation dated 11.06.2021 on its own merits and in accordance with law and pass orders as expeditiously as possible within a period of 12 weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

To

1.The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam, Chennai.

2.The Deputy Commissioner/Executive Officer,
Arulmigu Sankaranarayanawamy Thirukoil,
Sankarankovil, Thenkasi District.

+1 CC to M/s.P.RAJAGOPALAN, Advocate (SR-28891[F] dated 13/09/2021)
+1 CC to M/s.SPL GP (SR-28718[F] dated 09/09/2021)

WP(MD) No.16069 of 2021
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