



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

WP(MD) No.16070 of 2021

WEB COPY

A. Shantha,

... 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 from the date of petitioner retirement dated 31.01.2007 as per the Section 7 of the payment of gratuity Act, 1972 on the basis of petitioner representation dated 16.03.2021.

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

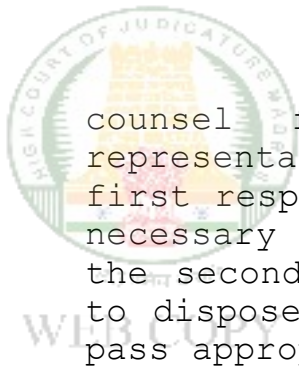
This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the respondents to pay the gratuity to the petitioner along with interest at the rate of 10% for the belated payment of gratuity from the date of petitioner's deceased husband retirement dated 31.01.2007 as per the Section 7 of the payment of gratuity Act, 1972 on the basis of petitioner representation dated 16.03.2021.

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 final disposal at the admission stage itself.

<https://hcservices.ecourts.gov.in/hcservices/>

4. It is brought to the notice of this Court by the learned



counsel for the second respondent that the petitioner's representation was forwarded to the first respondent and the first respondent has forwarded to the second respondent for taking necessary action and now the said representation is pending with the second respondent. If any direction is passed by this Court to dispose of the said representation, the second respondent will pass appropriate orders within a time frame fixed by this Court.

5. Even though the relief sought for in the writ petition is for a larger prayer, however during the course of argument, the learned Counsel for the petitioner restricted his prayer and stated that it would suffice to direct the authorities concerned to dispose of the said representation within a time stipulated by this Court.

6. In view of the above submissions made by the parties concerned, without expressing any opinion on merits, this Court is inclined to direct the second respondent to consider the petitioner's representation dated 16.03.2021 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.

7. With the above direction, the writ petition stands 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)

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