



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.21805 of 2021

S.Somasundaram

... Petitioner

Vs.

1.The Principal Secretary/Commissioner,
Hindu Religious & Charitable Endowment Board,
No.119, Uthamar Gandhi Road,
Chennai-600 034.

2.The Chief Account and Audit Officer,
Hindu Religious & Charitable Endowment Board,
Numgambakkam,
Chennai-600 034.

3.The Regional Audit Officer,
Hindu Religious & Charitable Endowment Board,
Madurai-1

4.The Deputy Commissioner,
ArulmighuKallazhagar Temple and
SolaimalaiMurugan Temple,
AlagarKoil,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay the petitioner's pensionary benefits with interest in accordance with G.O.Ms.No.91, Tourism Culture and Endowment(ANi.4-1) Department dated 28.06.2019, by considering his representations dated 30.01.2021 and 02.08.2021.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.G.V.Vairam Santhosh,
AGP for RR1 to 3
Mr.K.R.Laxman for R4.

ORDER

Heard Mr.T.Lenin Kumar, learned counsel appearing for the petitioner, Mr.G.V.Vairam Santhosh, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.K.R.Laxman,



learned counsel for the fourth respondent.

2.This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, directing the respondents to pay the petitioner's pensionary benefits with interest in accordance with G.O.Ms.No.91, Tourism Culture and Endowment(ANi.4-1) Department dated 28.06.2019, by considering his representations dated 30.01.2021 and 02.08.2021.

3.The case of the petitioner is that he served as Peskar in Solaimalai Murugan Temple, Melur Taluk and retired from service on 30.04.2012 on attaining the age of superannuation. The Government, vide G.O.Ms.No.91, Tourism Culture and Endowment(ANi.4-1) Department dated 28.06.2019, revised the pension/family pension and retirement benefits of the staff, who were working in the HR & CE Department and the petitioner is also entitled for the revised retirement benefits. But, he has not been considered for the said benefit of the aforesaid Government Order by the respondents. In this regard, the petitioner made representations dated 30.01.2021 and 02.08.2021 to the respondents. However, the said representations were not considered and the same are still pending with the respondents. Therefore, the petitioner approached this Court by way of the present Writ Petition.

4.Considering the fact that the petitioner seeks for a limited prayer to direct the authority to consider his representation, this Court without expressing any opinion on merits of his claim made in his representation, directs the respondents to consider the petitioner's representations dated 30.01.2021 and 02.08.2021 on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and pass appropriate orders in the light of the G.O.Ms.No.91, Tourism Culture and Endowment(ANi.4-1) Department dated 28.06.2019.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

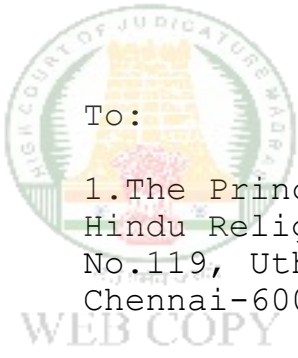
/ /2021

Sub Assistant Registrar(CS)

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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 services centre of the respondent concerned.

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



To:

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4.The Deputy Commissioner,
ArulmighuKallazhagar Temple and
SolaimalaiMurugan Temple,
AlagarKoil,
Madurai District.

+1 CC to M/s.SPL GP (SR-38096[F] dated 10/12/2021)

W.P (MD) No.21805 of 2021
09.12.2021

SAR(CO)
KB(29.12.2021) 3P 6C