



W.P.(MD) No.6558 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2022

CORAM:

**THE HON'BLE MR.MUNISHWAR NATH BHANDARI, THE CHIEF JUSTICE
and
THE HON'BLE MRS.JUSTICE S.ANANTHI**

**W.P.(MD) No.6558 of 2019
and
W.M.P(MD) No.5248 of 2019**

P.Vadivelu

... Petitioner

-VS-

1.The Union of India,
Represented by its Secretary,
Ministry of Culture,
New Delhi.

2.The State of Tamilnadu,
Represented by its Secretary,
Department of Tourism, Culture and Endowments,
St.George Fort, Chennai.

3.The Director of Museums,
Government Museum,
Egmore, Chennai.

4.The District Collector,
Madurai District.

5.The Gandhi Memorial Museum,
Represented by its Secretary,
Gandhi Museum, Madurai.

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 4 to provide additional Corpus Fund for the well maintenance of Gandhi Memorial Museum, Madurai and consequently direct the respondents to pay salary to the staff members of Gandhi Memorial Museum, Madurai on par with the staffs members of National Gandhi Museum, New Delhi within the period that may be stipulated by this Court.

For Petitioner : Mr.R.Gandhi

For Respondents : Mr.D.Sadiq Raja,
Additional Government Pleader
for R2 to R4
Mr.K.R.Laxman,
Central Government Standing Counsel
for R1
Mr.M.Senthil Kumar for R5

ORDER

[Order of the Court was made by The Hon'ble The CHIEF JUSTICE]

This writ petition has been filed seeking a direction to the respondents 1 to 4 to provide additional Corpus Fund for proper maintenance of the Gandhi Memorial Museum, Madurai, so that not only the building of Museum is maintained properly, but even salary to the employees is distributed. In the absence of adequate funds, it has become difficult to even



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pay the salary to the employees of the Museum apart from maintaining the building, which was a Palace of Rani Mangammal given to the Gandhi Memorial Museum and thereby, it is one of the heritage buildings in the city of Madurai. Thus, has to be well maintained.

2. The cause prayed by the petitioner is not opposed by the learned counsel appearing for the respondents 1 to 4, rather submitted that the Union of India has given a corpus fund of Rupees Five Crores in three break-ups and if the total amount is kept in fixed deposit with low rate of interest, it will yield Rupees Thirty Lakhs per annum. The respondents are yet to consider the issue raised by the petitioner to adequately support the maintenance and payment of the salary of the staff of Gandhi Memorial Museum.

3. Learned counsel appearing for the fifth respondent submitted that presently, there are 18 employees and if average salary of Rs.25,000/- per month is taken into consideration, it comes to Rupees Four Lakhs per month. Looking to the aforesaid, even if the interest of Rupees Thirty Lakhs per year is taken into consideration, it would not be sufficient even to distribute the salary, what so far maintenance expenses of the building.



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4. We have considered the submissions and find that, the cause raised by the petitioner needs to be considered by the respondents at the earliest. Though the Union of India have supported the Gandhi Memorial Museum by providing corpus fund of Rupees Five Crores, but that would not be sufficient even to distribute the salary out of the accrued interest. The maintenance part is separate.

5. Thus, this writ petition is disposed of with a direction to the Union of India to adequately support the Gandhi Memorial Museum by providing adequate funds which may cater the income so as to pay off the salary of the employees and even to maintain the heritage building. In the absence of the funds, the heritage building cannot be maintained properly and as a one-time arrangement, we direct the Union of India to extend support for the maintenance of the heritage building and whatever is required be undertaken under the supervision of the experts to protect the heritage building and also to provide adequate funds for onward maintenance.

6. The consideration of all these issues in reference of the representation would be made at the earliest and in any case, not later than four months from the date of receipt of a copy of this order. For the purpose of



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taking appropriate decision, the respondents may visit the building and at the same time, to take the accounts and other required documents to find out the justification of expenses and even to know the volume of expenses required for the payment of salary to the employees and also the maintenance part. The required funds would than be provided without delay and in any case not later than four months from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

[M.N.B., C.J.] [S.A.I., J.]

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Index : Yes / No

Internet : Yes / No

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and
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