



W.P(MD)No.26621 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.26621 of 2022

V.Eswara Prasad

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Nungampakkam,
Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
14/1, Trivandrum Road,
Palayamkottai – 627 002,
Tirunelveli.

3.The Joint Commissioner / Executive Officer,
Arulmigu Kanyakumari District Temples,
Suchindrum, PIN – 629 704,
Kanniyakumari 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 Hindu Religious and Charitable Endowments Department pension to the petitioner and arrears of pension from the month of August 2017 with 12



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percent interest till the date of realization based on the petitioner's representation dated 01.10.2022.

For Petitioner : Mr.K.Vamanan

For Respondents : Mr.J.Ashok,
Addl. Government Pleader for R1 & R2.
Mr.K.Sathya Singh for R3.

ORDER

Heard the learned counsel on either side.

2.Considering the special facts and circumstances obtaining in this case, the writ petition itself is taken up for final disposal at the admission stage itself.

3.On going through the materials enclosed in the typed set of papers, it can be seen that the petitioner was appointed as Junior Assistant on 15.09.1995 in Incorporate and Unincorporate Devaswom Temples, Suchindrum. The petitioner reached the age of superannuation on 31.07.2017. His grievance is that till date, his retiral benefits have not been settled. It is also claimed that he is entitled to get minimum pension. I do not want to go into the actual entitlement of the petitioner nor I am not quantifying his benefits. But it is



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beyond dispute that the petitioner having been allowed to retire is definitely entitled to certain retiral benefits. It is unfortunate that they have not been disbursed to the writ petitioner till date. The first respondent shall pass an appropriate order in this regard at the earliest. The benefits payable to the writ petitioner will be quantified and disbursed within a period of twelve weeks from today. The petitioner will be entitled to interest at the rate of 6% per annum from 01.09.2017 till date of disbursement.

4.The writ petition is disposed of accordingly. No costs.

25.11.2022

Index : Yes / No

Internet : Yes/ No

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Issue order copy on 29.11.2022.

To:-

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Nungampakkam, Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
14/1, Trivandrum Road,
Palayamkottai – 627 002,
Tirunelveli.



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G.R.SWAMINATHAN, J.

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