



W.P.(MD)Nos.3800, 3802, 3804, 3805 and 3808 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.01.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.3800, 3802, 3804, 3805 and 3808 of 2020

and

W.M.P.(MD).Nos.3216, 3218, 3222, 3224 and 3228 of 2020

Arulmigu Subramaniaswamy Temple,
Tirupparankundram,
Madurai through its
Deputy Commissioner/
Executive Officer.

... Petitioner in all W.Ps.

Vs.

1.The Joint Commissioner of Labour/
Controlling Authority under Payment of
Gratuity Act, 1972,
Madurai.

2.The Assistant Commissioner of Labour /
Controlling Authority under payment of
Gratuity Act, 1972,
Madurai.

3.S.Raju

4.Y.Varadharajan

5.S.Sembayee



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6.P.Pushparaj
7.M.Paulraj
8.G.Sasilekha
9.S.Mayil
10.S.Ayyavoo

... Respondents in W.P.(MD).No.3800 of 2020

1.The Joint Commissioner of Labour/
Controlling Authority under Payment of
Gratuity Act, 1972,
Madurai.

2.The Assistant Commissioner of Labour /
Controlling Authority under payment of
Gratuity Act, 1972,
Madurai.

3.P.Irulayee
4.R.Krishnan
5.K.Kandasamy
6.K.Chandran
7.S.Thiyagarajan
8.P.Ramakrishnan
9.P.Ramachandran
10.A.Karuppanan

... Respondents in W.P.(MD).No.3802 of 2020

1.The Joint Commissioner of Labour/
Controlling Authority under Payment of
Gratuity Act, 1972,
Madurai.

2.The Assistant Commissioner of Labour /



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Controlling Authority under payment of
Gratuity Act, 1972,
Madurai.

3.S.Muthlakshmi
4.G.Ramakrishnan

... Respondents in W.P.(MD).No.3804 of 2020

1.The Joint Commissioner of Labour/
Controlling Authority under Payment of
Gratuity Act, 1972,
Madurai.

2.The Assistant Commissioner of Labour /
Controlling Authority under payment of
Gratuity Act, 1972,
Madurai.

3.L.Sugumaran

... Respondents in W.P.(MD).No.3805 of 2020

1.The Joint Commissioner of Labour/
Controlling Authority under Payment of
Gratuity Act, 1972,
Madurai.

2.The Assistant Commissioner of Labour /
Controlling Authority under payment of
Gratuity Act, 1972,
Madurai.

3.V.Irulayee



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4.A.Karnan

5.K.Periyakaruppan

... Respondents in W.P.(MD).No.3808 of 2020

PRAYER in W.P.(MD).No.3800 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to take on file the appeal filed by the petitioner against the orders passed in P.G.168 of 2015, 169 of 2015 and 171 to 176 of 2015, dated 06.04.2017 by the second respondent and to dispose the same on merits and in accordance with law.

PRAYER in W.P.(MD).No.3802 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to take on file the appeal filed by the petitioner against the orders passed in P.G.9 to 16 of 2017, dated 19.10.2017 by the second respondent and to dispose the same on merits and in accordance with law.

PRAYER in W.P.(MD).No.3804 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to take on file the appeal filed by the petitioner against the orders passed in P.G.271 of 2016 and P.G.25 of 2017, dated 25.09.2017 by the second respondent and to dispose the same



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on merits and in accordance with law.

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PRAYER in W.P.(MD).No.3805 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to take on file the appeal filed by the petitioner against the orders passed in P.G.167 of 2015, dated 28.09.2017 by the second respondent and to dispose the same on merits and in accordance with law.

PRAYER in W.P.(MD).No.3808 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to take on file the appeal filed by the petitioner against the orders passed in P.G.56, 98 and 99 of 2017, dated 28.11.2017 by the second respondent and to dispose the same on merits and in accordance with law.

For Petitioner	:	Mr.S.Manohar
For R1 & R2	:	Mr.C.Satheesh
		Government Advocate



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COMMON ORDER

Since the issue involved in these writ petitions is one and the same, they have been taken up together and disposed of by this common order.

2. The petitioner is a Temple governed by the provisions of Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. The staffs of the Temple filed the gratuity proceedings before the second respondent and the same were allowed, directing the petitioner to pay gratuity amount under the Act. Against which, the petitioner has filed the appeals before the first respondent and the same were returned on the ground that the gratuity amount has not been deposited. Hence, the petitioner Temple has filed the present writ petitions seeking direction to the first respondent to take on file the appeals filed by the petitioner and dispose the same on merits and in accordance with law.



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3. The learned counsel appearing for the petitioner would submit that during the pendency of the writ petitions, the petitioner Temple has deposited the entire gratuity amount before the first respondent and this Court may issue a direction to the first respondent to number the appeals filed by the petitioner and pass appropriate orders.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 and 2.

5. Considering the limited request made by the learned counsel for the petitioner, this Court directs the first respondent to verify if the petitioner Temple has deposited the entire gratuity amount as ordered by the second respondent and if it is deposited, the first respondent is directed to number the appeals filed by the petitioner and complete the proceedings within a period of six weeks from the date of receipt of a copy of this order, after providing opportunity to the aggrieved parties.



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6. With the above directions, these Writ Petitions are disposed of.

No costs. Consequently, the connected Miscellaneous Petitions are closed.

10.01.2023

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M.DHANDAPANI,J.

akv

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