



W.P.No.21291 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21291 of 2024

P.Saraswathi

... Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
No. 119, Uthamar Gandhi Road,
Nungambakkam,
Chennai – 34.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Nagapattinam.

3. The Executive Officer,
Arulmighu Vedapureeswarar Thirukovil,
Nemam,
Thiruthuraipoondi Taluk,
Thiruvavarur District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to pay pension and other retirement benefits to the petitioner as she had



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attained superannuation from the post of 'Thiruvadi' on 31.03.2015 from the third respondent Temple, as per the order dated 16.03.2015, passed by the third respondent, based on the recommendations dated 12.10.2018, 25.01.2019 and 21.12.2019, sent by the third respondent to the first and second respondents and the recommendations of the second respondent dated 05.03.2020 and 10.04.2023 to the first respondent by considering the petitioner's representation dated 22.11.2019.

For Petitioner : Mr. S.Senthil

For Respondents : Mr. S.Ravichandran,
Special Government Pleader (HR & CE)

ORDER

With consent of both sides, this Writ Petition has been taken up for disposal at the admission stage itself.

2. This Writ Petition is filed to direct the respondents herein to consider the representation dated 22.11.2019 made by the petitioner, seeking retirement benefits on her attainment of superannuation from the post of 'Thiruvadi' on 31.03.2015.



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3. The petitioner had joined as Thiruvadi in the third respondent Temple on 01.07.1989. Thereafter, she attained the age of superannuation on 31.03.2015. By order dated 16.03.2015, the first respondent allowed the petitioner to continue in service after completion of 60 years. Further, by order dated 12.10.2018, it was ordered that the petitioner is entitled to get monetary benefits as per law. Further, by communication dated 25.01.2019, the third respondent recommended the case of the petitioner for retirement benefits. However, so far, the petitioner has not been settled with the amount.

4.The learned Special Government Pleader appearing for the respondents, on written instructions, states that the Temple is running at a loss and there are no funds to consider the request made by the petitioner.

5. In view of the above, the first respondent is directed to disburse the terminal benefits to which the petitioner is entitled and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.



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6. With the above directions, this Writ Petition is disposed of. No costs.

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Index: Yes/No
Neutral Citation: Yes/No
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To

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G.K.ILANTHIRAIYAN, J.

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