



**W.P(MD)No.145 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 18.01.2024**

**CORAM**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.145 of 2024**

1.T.V.Krishnamoorthy

2.P.Jeya

3.P.Sembayee

4.C.Saraswathy

5.K.Nagamuthu

6.K.Sivaramaayyer

7.V.Adithiya Gnanam

8.V.Jamuna

... Petitioners

**Vs.**

1.The Commissioner,  
Hindu Religious and Charitable Endowment  
Administration,  
Nungampakkam High Road, Chennai-600 006.

2.The Joint Commissioner/Executive Officer,  
Arulmigu Meenakshi Sundareswarar Thirukoil,  
Madurai.

... Respondents



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**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to disburse the interest of 10% to the gratuity amount for the period of the retirement date of the petitioner till the disbursement of gratuity amount to the petitioner, disburse the same as per the Na.ga.No.22735/2018, dated 13.1.2020 of the 1<sup>st</sup> respondent order and fix a time frame by this Court.

For Petitioner : Mr.R.Ramasamy  
For R1 : Mr.B.Saravanan  
Additional Government Pleader  
For R2 : Mr.VR.Shanmuganathan  
Standing Counsel

### **ORDER**

The present writ petition has been filed seeking direction to the 2<sup>nd</sup> respondent to disburse the interest of 10% to the gratuity amount for the period of the retirement date of the petitioner till the disbursement of gratuity amount to the petitioner, disburse the same as per the Na.ga.No.22735/2018, dated 13.1.2020 of the 1<sup>st</sup> respondent order and fix a time frame by this Court.

2. The petitioners are retired employees of the 2<sup>nd</sup> respondent Temple in the various posts, who have served for about 30 years. The petitioners submitted form I to the 2<sup>nd</sup> respondent in person on various dated demanding



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their gratuity. However, the same was denied by the 2<sup>nd</sup> respondent. Hence, the petitioners had filed cases for Gratuity before the controlling officer of gratuity, Madurai as per the provision of the Gratuity Act. The favourable orders were passed in the said cases in the year 2019 itself. Ever thereafter, the 2<sup>nd</sup> respondent failed to disburse the gratuity amount to the petitioners with interest. While so, the Hon'ble Division Bench of this Court in W.P.No.1084 of 2019 directed the 1<sup>st</sup> respondent to comply a Government Order for the disbursement of gratuity to the retired employees in a Public Interest Litigation. Following which, G.O.No.53 was issued on 27.05.2019 directing the 2<sup>nd</sup> respondent to disburse the gratuity to the retired employee. After which, the 2<sup>nd</sup> respondent deposited the amount to the controlling authority of gratuity, Madurai only on the principal amount without interest. On 24.06.2019, the 2<sup>nd</sup> respondent distributed the gratuity alone and not the 10% interest for the belated payment. In view of the same, this writ petition came to be filed.

3. Considering the limited scope of the relief sought for by the petitioner, this Court direct the petitioners to make a fresh representation to the 2<sup>nd</sup> respondent. On receipt of the same, the 2<sup>nd</sup> respondent is directed to pass



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appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of the said representation from the petitioners.

4. With the above said observations, this Writ Petition stands disposed of. No costs.

**18.01.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes

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To

- 1.The Commissioner,  
Hindu Religious and Charitable Endowment  
Administration,  
Nungampakkam High Road, Chennai-600 006.
- 2.The Joint Commissioner/Executive Officer,  
Arulmigu Meenakshi Sundareswarar Thirukoil,  
Madurai.



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**L.VICTORIA GOWRI, J.**

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