



W.P.(MD).No.2064 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2064 of 2024

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... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungampakkam, Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Muthusamy Nagar, Thirupathur Road,
Sivagangai, Sivagangai 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 herein to settle the interest amount towards the belated payment of Gratuity amount of the petitioner's late husband within prescribed time limit as fixed by this Court.

For Petitioner : Mr.KR.Bharathi Kannan

For Respondents : Mr.B.Saravanan
Additional Government Pleader



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ORDER

The present writ petition has been filed seeking direction to the respondents herein to settle the interest amount towards the belated payment of Gratuity amount of the petitioner's late husband within prescribed time limit as fixed by this Court.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner's late husband, namely V.Murugappan served as Gold cum Silver cum Gems Specialist in the Joint Commissioner annexed office from the year 1974 to 2004 and on attaining the age of superannuation, he retired on 13.11.2004. Her husband was permitted to retire on attaining the age of superannuation. As per the order passed by the Accountant General Office vide proceedings, dated 19.01.2005, pension was sanctioned to him and all other benefits except the gratuity amount was released. He is entitled for the gratuity amount of Rs.2,96,456/-. Despite approaching the respondents several times, the request to pay the gratuity amount to which the petitioner is entitled



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to is not acted upon. During his lifetime, he made representation on 20.04.2013 and the same was not considered. Hence, he filed W.P(MD)No.14703 of 2013, in which this Court was pleased to pass an order on 08.03.2018 to consider his representation and pass orders on merits. Pursuant to the same, on 05.07.2019 he received a communication vide proceedings dated 05.07.2019 stating that the said gratuity amount has already been deposited in his account on 25.06.2019. The said proceeding was addressed to the 1st respondent recommending to pay interest from 13.11.2004 to 25.06.2019. However, in the meanwhile, he passed away on 26.09.2021. During his lifetime, on 20.12.2019, he made a detailed representation to pay the interest amount towards the belated amount as per the rules. The petitioner has also approached the 2nd respondent in person. However, there was no response till 06.09.2022. Thereafter, the 2nd respondent had made recommendation to the 1st respondent recommending to pay the interest of the belated payment of the petitioner's husband gratuity from 01.03.2005 to 24.06.2019 to a tune of Rs.5,96,521/-.

4. The learned Additional Government Pleader appearing for the respondents submitted that the said file is pending before the 1st respondent and



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the same is under consideration and appropriate orders will be passed within a period of twelve weeks.

5. In view of the said submission, this Court directs respondents to settle the interest amount to the petitioner towards belated payment of gratuity amount of the petitioner's husband within a period of twelve (12) weeks from the date of receipt of copy of this order.

6. With the above said observations, this Writ Petition stands allowed.

No costs.

02.02.2024

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

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To

1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungampakkam, Chennai.

2.The Joint Commissioner,



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Hindu Religious and Charitable
Endowments Department,
Muthusamy Nagar, Thirupathur Road,
Sivagangai, Sivagangai District.

L.VICTORIA GOWRI, J.

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