



W.P.No.35448 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.35448 of 2024

T.Renuka

... Petitioner

Vs

1. The Commissioner,
Hindu Religious & Charitable Endowment Department,
Mahathma Gandhi Road, Chennai-34.

2. The Joint Commissioner/Executive Officer,
Arulmigu Vadapalani Andavar Thirukovil,
Vadapalani, Chennai-26.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India seeking issuance of Writ of Mandamus directing the second respondent to pay gratuity along with interest to the belayed payment of gratuity to the petitioner from 31.05.2005 as per Section 45A of Tamil Nadu Pension Rules 1978 and Section 7(3) of the Payment of Gratuity Act 1972 and as per the circular issued by the first respondent dated 13.01.2020 and also release the family pension arrears from 22.12.2018 and to pay the future family pension.



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For Petitioner : Mr.R.Rajarajan

For Respondents : Mr.K.Karthikeyan, Government Advocate

ORDER

The petitioner herein seeks a direction to the second respondent to pay Gratuity along with interest and also to sanction family pension.

2. The petitioner's husband worked as Accountant in the second respondent temple and he retired from service on 31.05.2005. The petitioner's husband received pension till his death on 22.12.2018. Thereafter, family pension has not been sanctioned to the petitioner and Death cum Gratuity was also not paid to her. Hence, she submitted a representation before the second respondent on 22.12.2023 and the same has not been considered. Therefore, the petitioner has come before this Court.

3. When the writ petition is taken up for hearing, the learned Government Advocate appearing for the respondents produced a copy of the order passed by the first respondent dated 07.01.2025 in Pension



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order No.1123797/2024/S3, sanctioning family pension to the petitioner. The learned Government Advocate also produced a letter of the second respondent dated 07.01.2025 in Na.Ka.No.170/2024/A1, wherein, it is stated that necessary steps have been taken to pay Gratuity to the petitioner along with interest.

4. The above representation made by the learned Government Advocate is recorded.

5. Accordingly, this writ petition is disposed of. ***It is made clear that the Death cum Gratuity along with interest shall be paid to the petitioner within eight weeks from today.*** If any amount is already paid to the petitioner under the head " Death cum Gratuity", the same shall be deducted from the final amount to be paid. There shall be no order as to costs. Connected miscellaneous petition is closed.

08.01.2025

Index:Yes/No
Internet:Yes/No
mst



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To

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2. The Joint Commissioner/Executive Officer,
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S.SOUNTHAR, J.

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