

W.P.(MD)No.12986 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2025

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.12986 of 2025

K.Swaminathan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam,
Chennai.

2.The Executive Officer / Joint Commissioner,
Arulmigu Swaminatha Swami Thirukoil,
Swamimalai,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to pay the interest of 10% for the belated payment of gratuity to the petitioner from 31.03.2013 to 04.03.2020 as per section 7(3A) of the payment of gratuity act 1972 and as per the circular of the first respondent dated 31.05.2019 to the petitioner on the basis of the petitioner's representation dated 25.03.2025 within the time stipulated by this Court.



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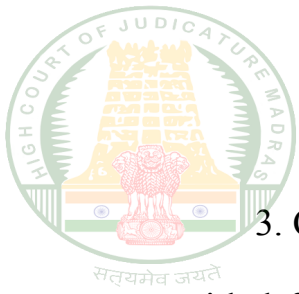
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For Petitioner : Mr.P.Rajagopalan
For R1 : Mr.P.Subbaraj
Special Government Pleader
For R2 : Mr.V.Chandrasekaran
Standing Counsel

ORDER

Heard the learned counsel for the petitioner, the learned Special Government Pleader for the first respondent, the learned Standing Counsel for the second respondent and perused the materials available on record.

2. The petitioner is a retired employee of the second respondent temple. After retirement, the petitioner approached the second respondent to disburse the payment of gratuity. On 04.03.2020, an amount of Rs.4,04,979/- paid towards gratuity. For the belated payment of gratuity, the petitioner seeking 10% interest. Requesting the second respondent to pay the interest for the belated payment of gratuity from 31.03.2013 to 04.03.2020 as per Section 7(3A) of the Payment of Gratuity Act, 1972 and as per circular of the first respondent, dated 31.05.2019, the petitioner submitted a representation, dated 25.03.2025 to the second respondent. Against the inaction of the second respondent in considering the same, the present writ petition is filed.



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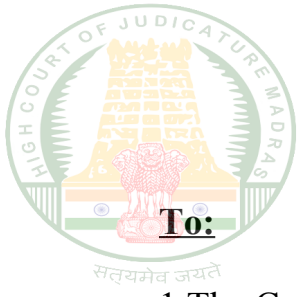
3. Considering the facts and circumstances of the case, as the petitioner is entitled for the interest for the belated payment of gratuity amount under the provisions of the payment of Gratuity Act, 1972, in our considered view, it is appropriate and reasonable to dispose of the writ petition at the admission stage with the consent of both sides without going into the merit of the case with a direction to the second respondent to consider the representation of the petitioner, dated 25.03.2025 and pass appropriate orders within a time to be stipulated herein under to meet the ends of justice.

4. Accordingly, the writ petition is disposed of with a direction to the second respondent to consider the representation of the petitioner, dated 25.03.2025 and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

No costs.

30.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



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To:

- 1.The Commissioner,
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Chennai.
- 2.The Executive Officer / Joint Commissioner,
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BATTU DEVANAND, J.

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