

W.P.(MD)No.18506 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.18506 of 2025

R.Sudarajan

... Petitioner

-VS-

1.The Commissioner,
Hindu religious and Charitable Endowments,
Nungambakkam High road,
Chennai – 34.

2.The Joint Commissioner/Executive Officer,
Thirumalaikumarasamy Temple,
Panpoli,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents particularly, the second respondent to disburse the gratuity amount of Rs.6,49,688/- along with interest at the rate of 10% from 31.10.2019 totally Rs.10,01,602/- further comply with directions of the first respondent vide his circular in Na.Ka.No.22735/2018 dated 13.01.2020 in the light of the order made in P.G.No.409 of 2022, within the time stipulated by this Court.



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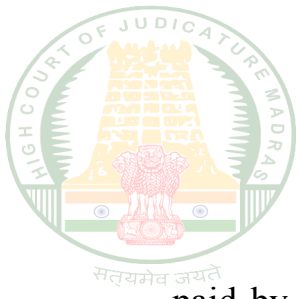
For Petitioner : Mr.S.Venkatesh
For R1 : Mr.SS.Madhavan
Additional Government Pleader
For R2 : Mr.S.Manohar
Standing Counsel

ORDER

This writ petition has been filed seeking a direction to the respondents, particularly, the second respondent to disburse the gratuity amount of Rs.6,49,688/- along with interest at the rate of 10% from 31.10.2019, totalling Rs.10,01,602/-. It further seeks compliance with the directions issued by the first respondent vide Circular No.Na.Ka.No.22735/2018 dated 13.01.2020, in the light of the order made in P.G.No.409 of 2022, within the time stipulated by this Court.

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

3. The learned counsel for the petitioner submits that the petitioner was employed in the second respondent temple and had rendered nearly 25 years of service. Upon his retirement, the petitioner was entitled to gratuity, which was not



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paid by the second respondent. Therefore, the petitioner was constrained to file P.G.No.409 of 2022, which was allowed by the competent authority on 29.11.2024, directing the second respondent to disburse the gratuity amount of Rs.6,49,688/- with interest at the rate of 10% per annum. Despite the clear and binding order passed in the P.G. proceedings, the second respondent has failed to comply with the same. Furthermore, the first respondent had issued a circular in Na.Ka.No.22735/2018 dated 13.01.2020, directing that gratuity amounts be disbursed promptly to retired employees. However, the second respondent has also failed to act in accordance with this circular. Left with no alternative and aggrieved by the non-compliance of the respondents, the petitioner has approached this Court, by filing the present Writ Petition seeking appropriate directions to ensure compliance with the aforesaid order and circular.

4. The learned counsel for the petitioner further submits that the issue involved in the present Writ Petition is squarely covered by the order passed by this Court in W.P.(MD)No.24939 of 2019 etc. batch. In the said decision, this Court was pleased to direct the second respondent therein to disburse interest at the rate of 10% per annum on the gratuity amount, as directed by the Controlling



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Authority, within a period of twelve weeks from the date of receipt of a copy of the order. It was further directed that in the event of failure to comply within the time stipulated, the second respondent therein shall pay interest at the enhanced rate of 18% per annum, calculated from the date of retirement till the date of actual payment. In the light of the identical nature of the grievance in the present case, the learned counsel prays that a similar direction may be issued to the second respondent herein, in the interest of justice.

5. Heard both sides.

6. Considering the above said facts and circumstances of the case and also taking into account the submissions made, the second respondent is directed to disburse interest at the rate of 10% per annum on the gratuity amount, as directed by the Controlling Authority, within a period of twelve weeks from the date of receipt of a copy of this order. In the event of failure on the part of the second respondent to disburse the amount within the time stipulated above, the second respondent shall pay interest at the rate of 18% per annum to the petitioner, from the date of retirement till the date of actual payment.



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7. With the above said directions, this writ petition stands disposed of.

No costs.

NCC : Yes / No

Index : Yes / No

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VIVEK KUMAR SINGH, J.

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