



WP(MD). No.19957 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 25.09.2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.19957 of 2025

M.Balasubramaniam

... Petitioner

Vs.

1. The Secretary / Special Commissioner,
Tamil Development Culture and
Religious Endowment Department,
Chennai.

2. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai.

3. The Executive Officer Cum
Deputy Commissioner,
Hindu Religious and
Charitable Endowments Department,
Suchindram Agastheeswaram,
Kanyakumari District.

4. The Manager,
Arulmighyu Bhagwati Amman Temple,
Agastheeswaram
Kanyakumari District.

... Respondents



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PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 2 to release the petitioner pension and other retirement benefits based on petitioner representation dated 11.07.2025 within the stipulated time fixed by this court.

For Petitioner : M/s.M.Viji,

For Respondents : Mr.M.Siddharthan,
Additional Government Pleader for R1 to R3

: Mr.R.Shankarganesh for R4

ORDER

This Writ Petition is filed to direct the respondents 1 and 2 to release the petitioner's pension and other retirement benefits based on petitioner representation dated 11.07.2025 within the stipulated time fixed by this court.

2. The learned counsel for the petitioner would submit that the petitioner was originally appointed as a Othuvaron, on temporary basis in the year 1983 and thereafter, pursuant to the order passed by this Court in WP(MD)No.2180 of 2007 dated 23.01.2012, the petitioner's



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appointment was confirmed as permanent and was fixed with a pay scale of Rs.5200 – 15900. He would further submit that the petitioner attained superannuation on 31.03.2020. However, the retirement benefit was not given to the petitioner. Hence, he has made detailed representations on 30.12.2024 and 11.07.2025 and the same is pending with the respondents. Hence, he seeks this Court to direct the respondents 1 and 2 to consider the representation of the petitioner dated 11.07.2025.

3. On the other hand, the learned counsel for the fourth respondent would contend that the petitioner is not an employee of the HR & CE Department and is only an employee of the temple, for which, he would not be entitled for pension and the service of the petitioner had been covered under the Provident Fund Scheme. On attaining the superannuation, the petitioner had been paid with the gratuity to a tune of Rs.6,80,400/- and the same has also been paid to the petitioner and E.P.F amount of Rs.3,39,134/- has also been paid to him directly and is also drawing pension under the EPF scheme, as the employees of the temple are covered under the said scheme. Therefore, he would submit that the writ petition cannot be entertained.



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3. I have considered the arguments advanced by the learned counsel on either side and perused the materials available on record.

4. It is the case of the petitioner that terminal benefits has not been paid. But, on the other hand, the respondents had placed on record the proof of payment of gratuity paid to the petitioner directly to his account. Similarly, the petitioner is also entitled for EPF pension, as per the EPF scheme, which is also being directly paid by the EPF authorities. The statement of the petitioner that he is an employee of the Department, therefore, cannot be accepted to direct the respondents 1 and 2 to disburse the terminal benefits and other pensionary. The petitioner had not disclosed the gratuity or the EPF amount and also the receipt of the EPF pension and hence, the petitioner has approached this Court by suppressing various material facts.

5. In view of the same, this Court finds no merit in this Writ Petition. Hence, this Writ Petition is dismissed. No order as to costs.

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K.KUMARESH BABU,J.

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