



WP(MD) No.23880 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

WP(MD) No.23880 of 2022

and

W.M.P.(MD) No.4288 of 2024

Logamani Boominathan

Petitioner

Vs

Joint Commissioner / Executive Officer,
Arulmigu Meenakshi Sundareshwarar Thirukovil,
Madurai.

Respondent

Prayer:- This Writ Petition has been filed under the Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondent to pay all the monetary benefits due to the family of petitioner's husband who died while in service in the Respondent Temple within a time frame set by the Court.

For Petitioner : Mr.G.Anto Prince

For Respondent : Mr.VR.Shanmuganathan



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ORDER

This Writ Petition has been filed with the following prayer:

“to issue a Writ of Mandamus, directing the Respondent to pay all the monetary benefits due to the family of petitioner's husband who died while in service in the Respondent Temple within a time frame set by the Court.”

2. Mr.G.Anto Prince, learned counsel assisted by Ms.Aiswarya, learned counsel for the petitioner submits that the petitioner's husband was working as Sevagar in the respondent Temple for more than 25 years with utmost sincerity and dedication and while he was in service, disciplinary proceedings were initiated as against him, vide memorandum in Na.Ka.No. 3736/2021/Aa1 dated 14.09.2021, alleging that he has submitted a forged transfer certificate of 8th std., for employment as Sevagar in the respondent Temple. When that be so, he died on 04.12.2021 due to his ill-health.

3. The learned counsel for the petitioner further submits that even though disciplinary proceedings were initiated against the petitioner's husband, he was neither suspended nor removed from the service as on the date of his death.



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4. After the death of the petitioner's husband, his family members were put to hardship to eke-out their livelihood. Hence, the petitioner herein, who is the wife of the deceased, had made a representation to the respondent on 06.10.2022 requesting to pay the monetary benefits, like Provident Fund, Family Pension, etc. However, the representation did not evoke any response from the respondent. The learned counsel for the petitioner further submits that the respondent may be directed to decide the representation of the petitioner dated 06.12.2022 by way of a reasoned and speaking order.

5. *Per contra*, Mr.VR.Shanmuganathan, the learned counsel for the respondent submits that the claim of the petitioner regarding the monetary benefits of her husband will be considered and if the petitioner is entitled to, the same shall also be paid to her in accordance with law. He further submits that the petitioner may be directed to file a fresh representation bringing forwarded her entire grievances before the respondent and the respondent will decide the same in accordance with law within the time stipulated by this Court.



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6. Heard Mr.G.Anto Prince, learned counsel assisted by M/s.Aiswarya, learned counsel for the petitioner and Mr.VR.Shanmuganathan, learned counsel for the respondent.

7. After considering the arguments as advanced by the learned counsels for the parties and after perusal of the records and the averments made in the affidavit filed in support of this writ petition, this Court is of the view that no useful purpose will be served in keeping this Writ Petition pending. Therefore, the petitioner is directed to submit a fresh representation to the respondent, namely the Joint Commissioner/Executive Officer, Arulmigu Meenakshi Sundareshwarar Thirukovil, Madurai, setting out her entire grievances as well as the claim within a period of three weeks from today. If any such representation is moved before the respondent by the petitioner within the time stipulated by this Court, the respondent shall decide the same by a reasoned and speaking order in accordance with law, within a period of four weeks thereafter and communicate the order to the petitioner through Registered Post with AD (RPAD) within a period of two weeks thereafter.



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8. With the aforesaid directions, the Writ Petition stands finally disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Index :Yes/No
Web :Yes/No
NCC :Yes/No

06.02.2025

Speaking/Non Speaking

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To

Joint Commissioner / Executive Officer,
Arulmigu Meenakshi Sundareshwarar Thirukovil,
Madurai.



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SHAMIM AHMED, J.

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