



W.A.(MD)No.311 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.A(MD)No.311 of 2021

and

C.M.P(MD)No.1072 of 2021

The Joint Commissioner /
Executive Officer,
Arulmigu Ramanathaswami Temple,
Rameswaram P.O.,
Ramanathapuram District.

... Appellant /
2nd Respondent

Vs.

1.Patchi Ramarathina Pattar

... 1st Respondent/
Petitioner

2.The Commissioner,
Hindu Religious and Charitable
Endowments,
Administration Department,
Nungambakkam High Road,
Chennai – 600 006.

... 2nd Respondent /
1st Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 17.03.2020 made in W.P(MD)No.24942 of 2019 and allow the Writ Appeal as prayed for.



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For Appellant : Mr.S.Ramesh
For Respondents : Mr.J.K.Jeyaselan
Government Advocate
for R.2

No Appearance for R.1

JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

This appeal has been filed by the Temple Management questioning the order dated 17.03.2020 made in W.P(MD)No.24942 of 2019 filed by the first respondent herein. Though the first respondent has been served and his name is printed in the cause list, he has not chosen to enter appearance either in person or through counsel.

2.It is not in dispute that the writ petitioner was a temple employee. He retired from service in the year 2004. Following the decision of the Hon'ble Supreme Court, the temple employees were also held entitled to gratuity. Seeking payment of gratuity along with interest, the writ petition was filed.

3.The learned single Judge disposed of the writ petition in the following terms:



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“6. Following the above, the 2nd respondent is directed to disburse interest at the rate of 10% per annum to 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 of the 2nd respondent to disburse the amount within the time stipulated above, the 2nd respondent shall pay the interest at the rate of 18% p.a. to the petitioners herein from the date of retirement till the date of actual payment.”

4.We notice that the learned single Judge had called upon the Management to pay interest only at the rate of 10%. However, the default clause has been worded in such a manner that if the temple management failed to disburse the amount within twelve weeks, the interest rate would stand enhanced to 18% per annum from the date of retirement. We set aside only the default clause set out in paragraph 6 of the impugned order. In all other aspects, the impugned order holds good.

5.It is well settled that while legislation ordinarily operates prospectively, any Judgment will operate retrospectively. So therefore, the decision of the Hon'ble Supreme Court though rendered in the year 2010 will have a retrospective effect.



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6.This Writ Appeal is allowed accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [R.K.M, J.]
05.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

To

The Commissioner,
Hindu Religious and Charitable
Endowments,
Administration Department,
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G.R.SWAMINATHAN,J.

AND

R.KALAIMATHI, J.

MGA

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