



WEB COPY

WP No. 23673 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09-07-2026**

CORAM

**THE HON'BLE MR.JUSTICE K. SURENDER**

**WP No. 23673 of 2024**

S.Sampath

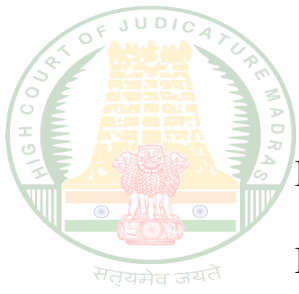
..Petitioner(s)

Vs

1. The District Collector  
Office Of The District Collector Kancheepuram  
District Kancheepuram
2. The Deputy Commissioner Of Labour  
Authority Under The Payment Of Gratuity Act  
Office Of The Joint Commissioner Of Labour Ii  
Chennai 600 006
3. The Commissioner  
Kancheepuram Greater Municipality  
Kancheepuram District 631 502

..Respondent(s)

Prayer: Writ Petitioner filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the first respondent to recover the amount of Rs 2,89,292 with 10 percent interest from the 3rd respondent under the Recovery Act and deposit in to the credit of P.G. No 39 of 2023 on file of second respondent Deputy commissioner of Labour (Authority Under the payment of Gratuity Act) and further directed to pay the said amount to the petitioner.



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For Petitioner(s):

Mr.K.Sudalai Kannu

For Respondent(s):

Mr.R.Chakkaravarthy for R1 And R2,  
M/s. Ra. Gopinath for R3

### **ORDER**

This Writ Petition has been filed by the petitioner seeking a direction to the first respondent to recover a sum of Rs.2,89,292/- together with interest at the rate of 10% per annum from the third respondent under the provisions of the Payment of Gratuity Act, 1972, and deposit the same to the credit of P.G.No.39 of 2023 on the file of the second respondent/Deputy Commissioner of Labour, with a consequential direction to disburse the said amount to the petitioner.

2. The brief facts of the case are that the petitioner joined the services of the third respondent Municipality as an Overhead Tank Operator on 06.10.1993 and retired from service on 30.06.2022 on attaining the age of superannuation. Since his gratuity and other retirement benefits were not disbursed, the petitioner approached the second respondent under the Payment of Gratuity Act, 1972. By an order dated 20.09.2023, the second respondent directed the third respondent to pay a sum of Rs.2,89,292/- with interest at the rate of 10% per annum. As the third respondent failed to comply with the said order within the stipulated time, the petitioner filed application seeking recovery of the amount. Pursuant to which, the second respondent, by communication dated 04.03.2024,



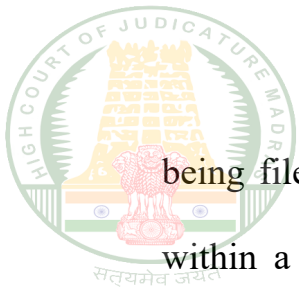
forwarded a Recovery Certificate to the first respondent/ District Collector for recovery of the gratuity amount from the third respondent in accordance with law. Since no effective action was taken pursuant to the said recovery certificate the petitioner has filed the present Writ Petition.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the respondents submits that a Demand Draft for a sum of Rs.2,89,292/- has already been deposited before the second respondent.

4. The learned counsel for the petitioner submits that the petitioner is satisfied with the aforesaid deposit and is ready to receive the amount. He, therefore, requests this Court to grant liberty to the petitioner to withdraw the amount deposited before the second respondent.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. In view of the submissions made by the learned counsel on either side, and since the petitioner has expressed his willingness to receive the deposited amount, this Writ Petition is disposed of, granting liberty to the petitioner to withdraw the sum of Rs.2,89,292/- deposited before the second respondent, by filing an appropriate application in accordance with law. Upon such application



being filed, the second respondent shall disburse the amount to the petitioner within a period of two weeks thereafter. No costs. Consequently, connected Miscellaneous Petitions, is closed.

**K.SURENDER J.**  
**09-07-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

JAI  
To

1. The District Collector  
Office Of The District Collector Kancheepuram District Kancheepuram.
2. The Deputy Commissioner Of Labour  
Authority Under The Payment Of Gratuity Act Office Of The Joint  
Commissioner Of Labour Ii Chennai 600 006.
3. The Commissioner  
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**K.SURENDER J.**

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