

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2017

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH

W.P. No.40731 of 2016

S.A.Damian Bastin,
Plot No.68, Door No.F1,
Hayagreva Enclave,
2nd Main Road, Adambakkam,
Chennai - 600 088.

... Petitioner

Vs

1.The Controlling Authority and Assistant
Labour Commissioner,
Government of India,
Ministry of Labour and Employment
Office of the Deputy Chief Labour Commissioner
No.4, Haddows Road, Shastri Bhavan,
Chennai - 600006.

2.The Chief Executive Officer,
M/s.Vik-Sandvik Design India Pvt., Ltd.,
10/14, 8th Street, Gopalapuram,
Chennai - 600086.

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, to direct the first respondent to consider the petitioner application dated 20.01.2016, within a time frame fixed by this Court.

For petitioner .. Mr.T.Karunakaran

For Respondents.. Mr.J.Madanagopal Rao CGSC for R1

Mr.K.Chandrasekaran for R2

O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petition is taken up for final disposal.

2.Heard Mr.T.Karunakaran, learned counsel appearing for the petitioner, Mr.J.Madanagopal Rao, learned Special Government Pleader appearing for the first respondent and Mr.K.Chandrasekaran, learned counsel appearing for the second respondent.

3.The petitioner is an employee of the second respondent. She has made an application to the first respondent, for payment of gratuity. As the said application is still pending consideration despite reminder dated 19.07.2016 and even though, the enquiry has been initiated, no orders have been passed and hence the present Writ Petition.

4. Considering the facts of the case and taking note of the particular fact that the enquiry is pending as per Form-O issued by the first respondent, dated 17.08.2016 and 26.09.2016 a direction is issued to the said authority to conclude the same on the application of the petitioner dated 20.01.2016 within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Controlling Authority and Assistant
Labour Commissioner,
Government of India,
Ministry of Labour and Employment
Office of the Deputy Chief Labour Commissioner
No.4, Haddows Road, Shastri Bhavan,
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2.The Chief Executive Officer,
M/s.Vik-Sandvik Design India Pvt., Ltd.,
10/14, 8th Street, Gopalapuram,
Chennai - 600086.

+1cc to M/s.J.Madanagopal, SR.No.16592

+1cc to M/s.T.Karunakaran, Advocate SR.No.16478

+1cc to K.Chandrasekaran, Advocate SR.No.16425

SDR 24.03.2017

O r d e r i n
W.P. No.40731 of 2016



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