

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2017

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.33832 of 2003

P.Rengiah

...Petitioner

Vs.

1. Assistant General Manager
(Administration)
Tamilnadu Mercantile Bank
Tuticorin

2.Regional Manager
Tamilnadu Mercantile Bank
Coimbatore

3.The Chairman
Tamilnadu Mercantile Bank
Tuticorin

4.Assistant Labour Commissioner,
(Controlling Authority under
the payment of Gratuity Act)
Tirunelveli.

...Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus calling for the records relating to the order in Case No.(Gratuity 99/2000 dated 27.09.2002 of the 4th respondent and quash the same and consequently direct the respondents 1 to 3 to disburse the gratuity payable to the petitioner as per the revised scales of pay.

For Petitioner : Mr.T.S.Baskaran
for Chitra Sampath

For Respondents : Mr.Sanjay Mohan
for M/s.S.Ramasubramaniam & Associates
for R1 to R3

ORDER

The writ petition has been posted before this Court for being mentioned.

2.The learned counsel for the petitioner has sought liberty to exhaust the appeal remedy as provided under the payment of Gratuity Act in a separate writ petition.

3.However, learned counsel for the petitioner would now submit that the period during which this writ petition was pending before this Court may be excluded for the purpose of limitation.

4.Accordingly, the period of pendency of the writ petition before this Court is excluded for the purpose of limitation.

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Note: Registry is directed to return the impugned order to the learned counsel for the petitioner to enable him to file an Appeal before the Competent Authority.

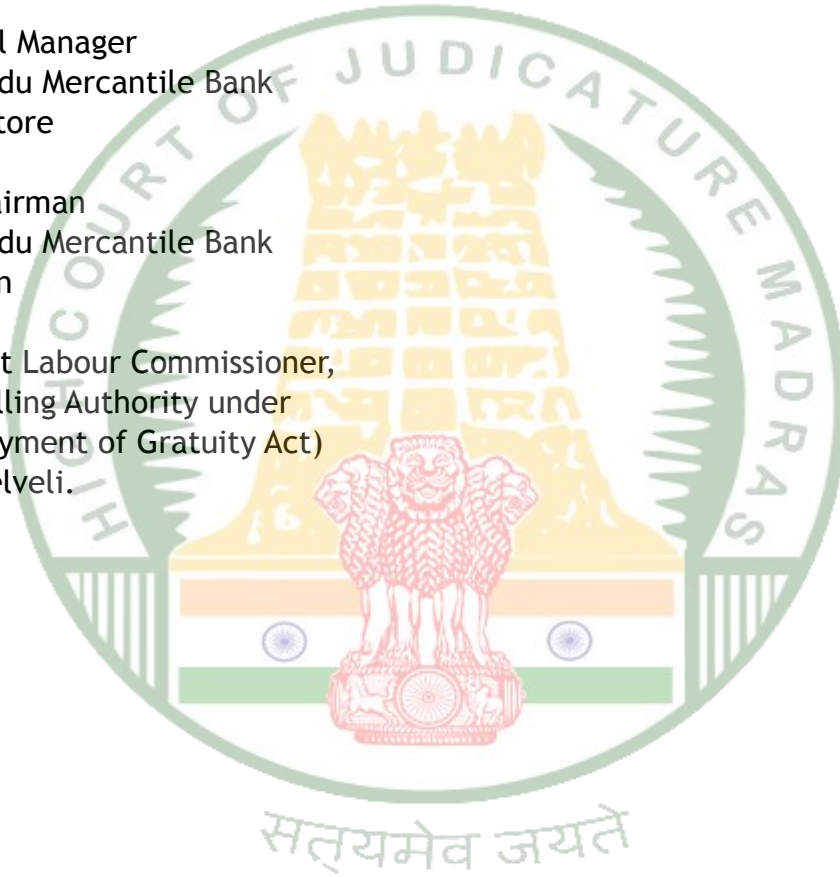
To.

1. Assistant General Manager
(Administration)
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2. Regional Manager
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