



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.2697 of 2011 &
M.P.No.1 of 2011 & 1 of 2012

V.Viswanathan

.. Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary,
Micro Small and Medium Enterprises Department,
Fort St. George, Chennai - 9.

2.Tamil Nadu Small Industries Development
Corporation (SIDCO),
SIDCO Industrial Complex,
Guindy, Chennai - 32.

3.The Principal Accountant General (A& E),
261, Anna Salai,
Chennai - 18.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 2 herein to pay a sum of Rs.30,060/- with interest, which is due to the petitioner towards gratuity and further pay the employer's PF contribution for the full pay as drawn by the petitioner.

For Petitioner : Mr.G.Arul Murugan

For Respondents : Mr.B.Anand

Government Advocate for R1

No appearance for R2 and R3

O R D E R

Heard Mr.G.Arul Murugan, learned counsel for the petitioner; Mr.B.Anand, learned Government Advocate for the first respondent and perused the materials available on record.



2. The petitioner prays for issuance of direction to the respondents 1 and 2 to pay sum of Rs.30,060/- along with interest due to the petitioner towards gratuity and further pay employer's provident fund contribution for full pay as drawn by the petitioner.

3. In the counter filed by the first respondent, in paragraph No.12, it is stated that the petitioner was paid entire gratuity amount in the year 1992 and 1993 and he is not eligible for interest on Death-cum-Retirement Gratuity.

4. Taking note of the above fact, this Court is of the considered view, the petitioner is not entitled for the relief sought for in the Writ Petition. Accordingly, the Writ Petition is dismissed. There is no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

r n s
To

1.The Secretary,
Government of Tamil Nadu,
Micro Small and Medium Enterprises Department,
Fort St. George, Chennai - 9.

2.Tamil Nadu Small Industries Development
Corporation (SIDCO),
SIDCO Industrial Complex,
Guindy, Chennai - 32.

3.The Principal Accountant General (A& E),
261, Anna Salai,
Chennai - 18.

+1cc to Mr.G.Arul Murugan, Advocate, S.R.No.66821

+1cc to the Government Pleader, S.R.No.67092

W.P. No.2697 of 2011 &
M.P.No.1 of 2011 & 1 of 2012

KS (CO)
GSP (25/10/2018)