

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :05.04.2018
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.25413 of 2013

1.A.Sivagnanam
2.S.Mani
3.P.Kanniappan
4.S.Balraj
5.V.Thanikachalam
6.R.Dilli
7.K.Govindan
8.D.Paramasivam
9.P.Govindswamy
10.K.Ganesan
11.Anbalazhan
12.G.Ranganathan
13.L.Munusamy
14.M.Jothi Pragasam
15.P.Loganathan
16.A.Arokiya Swamy
17.P.Murugan
18.B.Raju
19.R.Radha Krishnan
20.K.Kuppumuthu
21.A.Pichandi
22.K.Perumal
23.K.Sakuntala
24.G.Ellammal
25.M.Subramani
26.P.Ganesan
27.D.Ealumalai

..Petitioners

1.The Chairman,
Chennai Port Trust,
Chennai - 600 001.

2.The Assistant Labour Commissioner(Central-1)
Controlling authority under the payment of Gratuity Act
No.26, Haddows Road, Shastri Bhavan,
Chennai - 600 006.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to take up the gratuity application Nos.93/2007 & batch list annexed herein pending before him and dispose them off according to law.

For Petitioners : Mr.M.R.Radhakrishnan

For Respondents : Mr.R.Karthikeyan for R1
No Appearance for R2

O R D E R

The relief sought for in this writ petition is for a direction to the 2nd respondent to take up the gratuity application Nos.93/2007, 63/2003, 159/2004, 132/2010 to 141/2010, 170/2011, 40/2016, 28/2015, 30/2015, 33/2015, 26/2015, 24/2015, 23/2015, 27/2015, 34/2015, 29/2015, 22/2015, pending before him and dispose them off according to law.

2.The grievances of the writ petitioners are that they were the employees of the 1st respondent/Chennai Port Trust and all the writ petitioners are retired from service on attaining the age of superannuation. However, the gratuity amount due to them are not settled so far.

3.The learned counsel appearing for the 1st respondent/Chennai Port Trust states that a portion of the amount alone is disputed now and all other benefits are already settled in favour of the workmen. However, this Court is of an opinion that the gratuity application under the provisions of the Act was filed in the year 2007 by the writ petitioners and it is informed to this Court that till today, the same are pending.

4.It is unfortunate that the 2nd respondent/Controlling Authority should have decided the matter by this time in view of the fact that the matters are pending for long time. This apart, the Controlling authority/the 2nd respondent shall avoid frequent and unnecessary adjournments in these kind of matters. Adjournments are to be granted on specified reasons and routine adjournments are to be avoided.

5.This being the factum of the case, this Court is of an opinion that it is a fit case, where a direction is to be issued for early disposal of the gratuity application. Accordingly, the 2nd respondent/Controlling Authority is directed to consider the applications submitted by the writ petitioners and proceed with the adjudication by providing opportunity to all the parties concerned and pass orders on merits and in accordance with law within a period of one year from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of.
However, there shall be no order as to costs.

kak

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

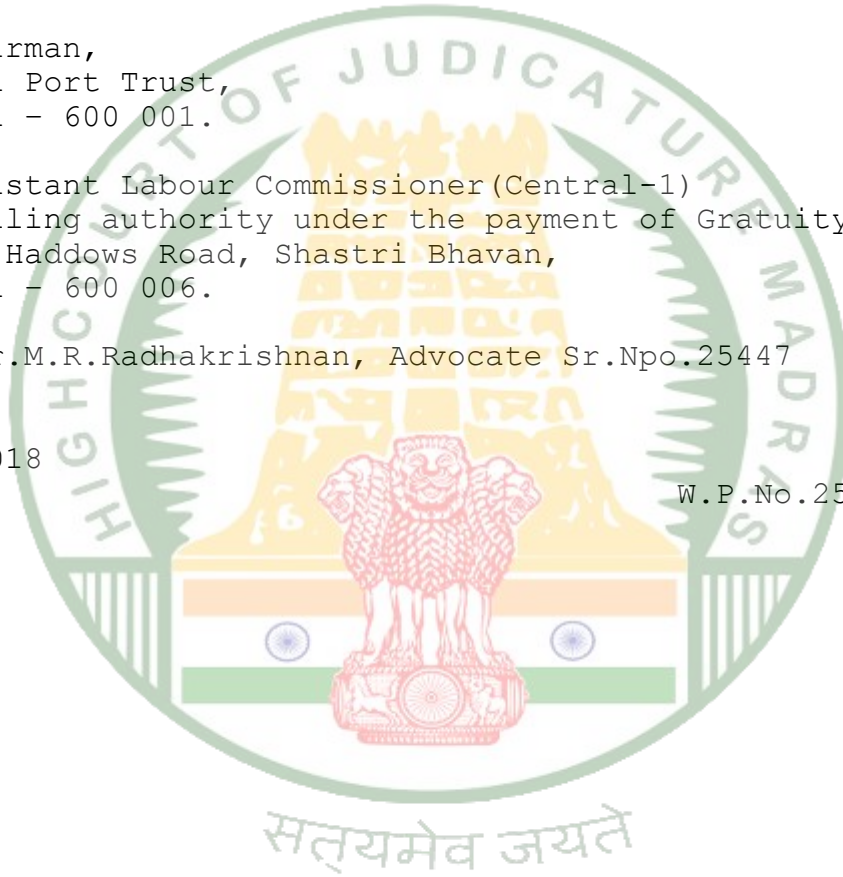
To

1. The Chairman,
Chennai Port Trust,
Chennai - 600 001.
2. The Assistant Labour Commissioner (Central-1)
Controlling authority under the payment of Gratuity Act
No.26, Haddows Road, Shastri Bhavan,
Chennai - 600 006.

+1cc to Mr.M.R.Radhakrishnan, Advocate Sr.Npo.25447

SSV(CO)
sm:11.5.2018

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