



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.6991 of 2018

R.Thangarasu

... Petitioner

-Vs-

1. The District Collector,
Dindigul District,
Dindigul.
2. The Block Development Officer,
Gujiliamparai Panchayat Board Office,
R.Pudukottai (P.O),
Vedasendur Taluk,
Dindigul District.
3. The Assistant Commissioner of Labour,
Office of Deputy Commissioner of Labour,
Dindigul, Dindigul District.
4. The President,
Village Panchayat,
Gujiliamparai Panchayat Board Office,
R.Pudukottai (P.O),
Vedasendur Taluk,
Dindigul District.

...Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to implement the order passed by the third respondent herein in his proceedings in Na.Ka.No.A6/4329/2017 dated 19.10.2017 to recover the amount from the third respondent due to be paid to the petitioner as per the award passed in P.G.No.01 of 2107 by the third respondent dated 23.05.2018 within a specific time as stipulated by this Court.

For Petitioner : Mr.D.Selvaraj

For Respondents : Mrs.S.Srimathy
Special Government Pleader.
For R1 to R3

Mr.J.Gunaseelan Muthiah for R4

**ORDER**

Heard the learned counsel on either side.

2. By consent of both the parties, the main Writ Petition itself is taken up for final disposal at the stage of admission.

3. The writ petitioner was employed in the fourth respondent Village Panchayat. He retired from service. His gratuity dues were not settled. Hence, he filed P.G.No.01 of 2017 before the Controlling Authority under the Payment of Gratuity Act, 1972. The third respondent passed an order dated 23.05.2017 in favour of the petitioner. Till date, the said order has not been enforced.

4. The Payment of Gratuity Act casts a mandate on the first respondent to initiate revenue recovery proceedings if the award remains un-satisfied. The first respondent is directed to initiate proper proceedings in accordance with law, so as to enforce the award dated 23.05.2017 passed by the third respondent in P.G.No.01 of 2017 and such action shall be initiated within a period of six weeks from the date of receipt of a copy of this order.

5. This Writ Petition stands allowed accordingly. No costs.

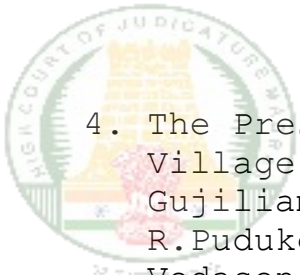
Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Block Development Officer,
Gujiliamparai Panchayat Board Office,
R.Pudukottai (P.O),
Vedasendur Taluk,
Dindigul District.
3. The Assistant Commissioner of Labour,
Office of Deputy Commissioner of Labour,
Dindigul, Dindigul District.



4. The President,
Village Panchayat,
Gujiliamparai Panchayat Board Office,
R.Pudukottai (P.O),
Vedasendur Taluk, Dindigul District.

WEB COPY

+ 1 cc TO Mr.J.Gunaseelan Muthiah , Advocate in SR No. 58269
+ 1 cc TO The Special Government Pleader in SR No. 58678,59097,
59265,59257
+ 1 cc TO Mr.D.Selvaraj , Advocate in SR No. 58678

tsg

AE/SV MMS/SAR1/29.06.2018/3P/8C

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