



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 6995 of 2018

A. Lurthusamy

... Petitioner

-Vs-

1. The District Collector,
Dindigul District,
Dindigul.
2. The Block Development Officer,
Reddiyarchathiram Block Development Office,
Reddiyarchathiram, Dindigul District.
3. The Assistant Commissioner of Labour,
Office of Deputy Commissioner of Labour,
Dindigul, Dindigul District.
4. The Special Officer,
Village Panchayat,
Karisalpatti Panchayat Board Office,
Reddiyarchathiram, Dindigul Taluk,
Dindigul District. ... Respondent

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.A6/4847/2016 dated 18.12.2017 to recover the amount from the fourth respondent due to be paid to the petitioner as per the award passed in P.G.No.150 of 2016 by the third respondent dated 13.05.2016 within a specific time as stipulated by this Court.

For Petitioner

: Mr.D.Selvaraj

For Respondents

: Mrs.S.Srimathy

Special Government Pleader.

**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.150 of 2016 before the Controlling Authority under the Payment of Gratuity Act, 1972. The third respondent passed an order dated 13.05.2016 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. Is 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 13.05.2016 passed by the third respondent in P.G.No.150 of 2016 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 (CO)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Block Development Officer,
Reddiyarchathiram Block Development Office,
Reddiyarchathiram, Dindigul District.
3. The Assistant Commissioner of Labour,
Office of Deputy Commissioner of Labour,
Dindigul, Dindigul District.



4. The Special Officer,
Village Panchayat,
Karisalpatti Panchayat Board Office,
Reddiyarchathiram, Dindigul Taluk,
Dindigul District.

+1 CC to Mr.D.SELVARAJ, Advocate in SR.No.58677
+1 CC to the Special Government Pleader, SR.No.59256

TSG
RJ/SV/SAR-2/16/07/2018 - 3P/7C

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