



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WP (MD) No.22174 of 2018

S.B.Pannerchelvan

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District.

2. The Controlling Authority,
Under Payment of Gratuity Act/
Assistant Commissioner of Labour,
Bharathi ula road, K.Pudhur,
Madurai - 8.

3. The Executive Officer,
Arulmighu Nachiyar Thirukoil,
Srivilliputhur.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents particularly the first respondent to proceed under the Revenue Recovery Act as against the third respondent to collect gratuity amount of Rs.2,84,225/- with interest at the rate of 15% from 01.05.2012 till the date of payment as per proceedings of the second respondent in Aa6/2422/2017 dated 28.08.2017 and disburse the amount to the petitioner within time stipulated by this Court.

For Petitioner : Mr.S.Venkatesh

For Respondents : Mr.Rajarajan,
Govt.Advocate for R1 and R2

ORDER

The case of the petitioner is that he was not paid the gratuity amount due to him. He was employed in the third respondent temple. He therefore filed PGA No.178 of 2015 before the second respondent. The third respondent herein was shown as the respondent in the said case. An order was passed in favour of the petitioner on 25.11.2016. According to the petitioner, the said order has become final and that it has not been challenged. According to him, the second respondent has also issued a certificate in this regard on 28.08.2017. But, the first respondent is yet to act in the matter.



2. Therefore, this Court directs the first respondent to take action in the matter pursuant to the certificate dated 28.08.2017 issued by the second respondent.

3. This writ petition is allowed accordingly. No costs.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The District Collector,
Virudhunagar District.
2. The Controlling Authority,
Under Payment of Gratuity Act/
Assistant Commissioner of Labour,
Bharathi ula road, K.Pudhur,
Madurai - 8.

+ 1 CC TO Mr.A.SIVAJI, ADVOCATE IN SR No. 95288
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 95389

SKM

TE/SV/SAR-1 : 12/12/2018 : 2P/5C

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