



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P(MD).No.2258 of 2017

WEB COPY

D.Thangavelu

.. Petitioner

Vs.

1.The District Collector,
Chennai District, Chennai.

2.The Controlling Authority/Assistant Commissioner of Labour,
(The Authority under the Payment of Gratuity Act, 1972),
The Office of Deputy Commissioner of Labour,
Trichy.

3.The Management of
State Express Transport Corporation (Tamilnadu) Ltd.,
Rep. by its Managing Director,
Pallavan Salai, Chennai - 02.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of writ of Mandamus directing the 2nd respondent to issue certificate U/s 8 of Payment of Gratuity act to the 1st respondent to recover the gratuity amount of Rs.29,129/- together with interest at the rate of 10% p.a. from 01.11.2013 as ordered by the 2nd respondent in his order, dated 20.06.2016 in P.G.No. 32/2016 from the 3rd respondent and further directing the 2nd respondent to recover such amount from the 3rd respondent within a period of time. As may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For Respondents 1&2 : Mr.Aayiram K.Selvakumar
Additional Government Pleader
For Respondent NO.3 : Mr.K.Sathiya Singh

ORDER

The petitioner filed a case against the third respondent before the second respondent. The second respondent had since passed an order dated 20.06.2016 against the 3rd respondent. It is the duty of the first respondent to enforce the award against the third respondent and to ensure the petitioner to get the fruits of the order from the third respondent. The first respondent is given three months time to initiate action in this regard. The writ petition is allowed accordingly.

Sd/-

Assistant Registrar(CO)

/True Copy/



To

1.The District Collector, Chennai District, Chennai.

2.The Controlling Authority/Assistant Commissioner of Labour,
(The Authority under the Payment of Gratuity Act, 1972),
The Office of Deputy Commissioner of Labour, Trichy.

3.The Management of
State Express Transport Corporation (Tamilnadu) Ltd.,
Rep. by its Managing Director, Pallavan Salai, Chennai - 02.

- 1 CC TO Mr.S.ARUNACHALAM , ADVOCATE IN SR No. 99823.
- + 1 CC TO Mr.K.SATHIYA SINGH , ADVOCATE IN SR No. 99595.
- TM
- DS RSK SAR1 12 12 2018 2P 6C

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