

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 12.02.2018****CORAM****WEB COPY****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P. (MD) .No.6520 of 2016**

C.Chandrasekaran

... Petitioner

Vs.

1. The District Collector,
Collectorate,
Madurai, Madurai District.

2. The District Collector,
Collectorate,
Tiruppur, Tiruppur District.

3. The Tahsildar,
Taluk Office,
Dharapuram Taluk,
Dharapuram,
Tiruppur District.

4. Shre Mahalakshmi Textiles Ltd.,
Represented by its proprietor,
No.109, Karur Main Road,
K.Meenakshipuram(Post),
Dharapuram - 638 673,
Dharapuram,
Tiruppur District.

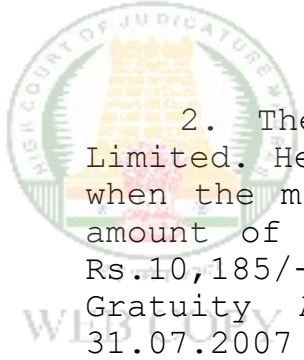
... Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the second respondent to pass orders on the proceedings in Na.Mu.Ka.4052/2010/Ee3, dated 12.07.2010 sent by first respondent seeking for recovery of Rs.30,921/- with 10% interest with effect from 14.11.1996 from the fourth respondent as per the order dated 31.07.2017 passed by the Payment of Gratuity Controlling Authority(Assistant Commissioner of Labour), Madurai, within the time stipulated by this Court.

For Petitioner
For R-1 to R-3

: Mr.T.Lajapathi Roy
: Mr.K.Saravanan,
Government Advocate.

O R D E R



2. The petitioner was employed in Sri Mahalakshmi Textiles Limited. He joined service on 10.03.1972 and worked till 14.10.1996, when the mill was closed. The petitioner was entitled to Gratuity amount of a sum of Rs.39,462/-. But he was paid only a sum of Rs.10,185/-. Hence, he moved the Authority under the payment of Gratuity Act. The petitioner's application was allowed on 31.07.2007 and the management was directed to pay the balance amount of Gratuity which is to the tune of Rs.30,921/-. The amount was to be paid with interest from 14.11.1996.

3. When the order has been passed by the Controlling Authority under the Payment of Gratuity Act, it is the duty of the Revenue Authorities to enforce the same by taking recourse to the provisions of Revenue Recovery Act. The mill is located in Madurai. Therefore, the first respondent is directed to take appropriate steps in this regard. For enforcing the Order, dated 31.07.2007, passed by the Controlling Authority/Assistant Commissioner of Labour, Madurai, the first respondent shall initiate appropriate steps in this regard within a period of eight weeks from the date of receipt of a copy of this order and ensure that they are taken to their logical conclusion at the earliest.

4. Accordingly, the Writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Collectorate,
Madurai, Madurai District.
2. The District Collector,
Collectorate,
Tiruppur, Tiruppur District.
3. The Tahsildar,
Taluk Office,
Dharapuram Taluk,
Dharapuram,
Tiruppur District.

+1cc to Mr.T.Lajapathi Roy, Advocate, SR.No.47951.

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