



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.2212 of 2019

WEB COPY

1. S.Adinarayanan
2. S.Rathinasabapathy
3. K.Sundaramoorthy
4. V.Ramachandran
5. K.Subramanian
6. N.B.Doss Gandhi
7. L.Manjunath

... Petitioners

Vs.

1. Union Territory of Puducherry
Represented by the Chief Secretary
Government of Puducherry
Puducherry-605 001.
2. The District Collector of Puducherry
Saram
Puducherry-605 013.
3. Anglo French Textiles
Unit of Pondicherry Textile
Corporation Limited
Represented by its Managing Director
Mudaliarpet,
Puducherry-605 004.
4. The Controlling Authority under the
Payment of Gratuity Act 1972 cum
Labour Officer (Enforcement)
Puducherry.
5. The Ministry of Home Affairs
Government of India
Represented by its Secretary
New Delhi.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent herein to forth with pay the amounts of gratuity due and payable to the petitioners together with compound interest at the rate of 15% per annum there on from the respective dates of issuance of Form-R notice to the petitioners, 1, 2, 3, 4, 5 & 7 and for petitioner No.6 from the date of his retirement.



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For Petitioners	: Mr.M.Devendran
For Respondents	: Mr.A.V.Ramalingam Additional Government Pleader for R1, R2 and R4 Mrs.N.Mala for R3 Special Government Pleader Mr.S.Palaniraja for R5.

O R D E R

This Writ Petition is filed for issuance of Writ of Mandamus directing the 1st respondent herein to forth with pay the amounts of gratuity due and payable to the petitioners together with compound interest at the rate of 15% per annum there on from the respective dates of issuance of Form-R notice to the petitioners, 1, 2, 3, 4, 5 & 7 and for petitioner No.6 from the date of his retirement.

2.The petitioners are the employees of the 3rd respondent. Though their services were snapped with the 3rd respondent, gratuity amount was not paid to them. For non-payment of the gratuity amount, the petitioners have filed this writ petition claiming the gratuity amount with interest at the rate of 15% per annum.

3. Mrs.N.Mala, Special Government Pleader appearing on behalf of the respondents on instructions submitted that the gratuity amount has been paid in favour of the petitioners long back. However, 30 persons were not paid the gratuity amount on the ground that their legal heirs were not available to receive the amount.

4. The learned Special Government Pleader did not dispute the fact submitted by the learned counsel for the petitioner that they have not paid the interest.

5. The learned counsel for the respective parties prayed this Court to permit the petitioners to work out their remedy for non-payment of interest in the manner known to law.



6. Considering the facts and circumstances of the case, the petitioners are permitted to work out their remedy for non-payment of interest in the manner known to law. Accordingly, this Writ Petition is disposed of. No costs.

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-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Chief Secretary
Union Territory of Puducherry
Government of Puducherry
Puducherry-605 001.
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Puducherry-605 013.
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5. The Secretary
The Ministry of Home Affairs
Government of India
New Delhi.

+2 ccs to M/s.M.Devendran Advocate sr99348
+1 cc to the Government Pleader for puducherry
High Court Madras sr99806

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