

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.16300 OF 2011

S.Vijaya Rani

.. Petitioner

vs.

1. The Appellate Authority,
Payment of Gratuity Act, 1972/
Joint Commissioner of Labour,
Coimbatore.
2. The Controlling Authority under the
Payment of Gratuity Act, 1972/
Assistant Commissioner of Labour,
Coimbatore.
3. The management,
Seyyone Software Solution (P) Ltd.,
Stock Exchange Buildings, III Floor,
686, Trichy Road, Coimbatore - 641 005.

.. Respondents

PRAYER :

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 1st respondent in A.G.A.113 of 2008 dated 18.6.2009 in reversing the order passed by the 2nd respondent in G.A.118 of 2006 dated 8.6.2007, quash the same and consequently, direct the 3rd respondent to pay the petitioner the Gratuity for the period she was employed with the 3rd respondent herein.

For Petitioner : J.Pothiraj

For Respondents : Mr.J.Ramesh
Additional Government Pleader [R1 & R2]
Mr.Anand Gopalan
for M/s.T.S.Gopalan & Co. [R3]

O R D E R

The relief sought for in the present writ petition is to quash the order passed by the first respondent in A.G.A.113 of 2008 dated 18.06.2009 in reversing the order passed by the Controlling Authority in G.A.118 of 2006 dated 08.06.2007.

2. The learned counsel appearing on behalf of the 3rd respondent Management made a submission that during the pendency of the writ petition, the Gratuity, as applicable, had been settled in favour of the writ petitioner workman. The learned counsel for 3rd respondent states that the cheque in favour of the writ petitioner was handed over to the learned counsel on record on 01.10.2013 itself.

3. In view of the fact that the Gratuity amount has already been settled in favour of the writ petitioner, no further adjudication needs to be undertaken in respect of the ground raised in the present writ petition.

Accordingly, the writ petition stands disposed of as infructuous. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Appellate Authority,
Payment of Gratuity Act, 1972/
Joint Commissioner of Labour,
Coimbatore.
2. The Controlling Authority under the
Payment of Gratuity Act, 1972/
Assistant Commissioner of Labour,
Coimbatore.

+1cc to M/s.T.S.Gopalan & Co., Advocate, S.R.No.92985
+1cc to the Government Pleader, S.R.No.93387

W.P.No.16300 of 2011

RJI (CO)
CS/11/12/2019