

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 21.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

WP.No.9851 of 2004
and
WP.MP.No.11523 of 2004

The Chairman-cum-Managing Director,
Neyveli Lignite Corporation Ltd.,
Neyveli - 607801.

...Petitioner

Vs

1.The Controlling Authority,
Under Payment of Gratuity
Act, 1972 & Asst. Labour
Commissioner (Central) II,
26, Haddows Road,
Sasthri Bhavan,
Chennai - 600006.

2. R.Mahadevan

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the order of the 1st respondent passed in Gratuity Application No.48/141 of 2003, dated 01.03.2004 and quash the same.

For Petitioner : Mr.N.Nithianandam
For Respondents: No Appearance

सत्यमेव जयते
O R D E R

Pending the writ petition, the petitioner and the 2nd respondent have amicably resolved the disputes among themselves before the Lok Adalat held on 23.04.2004. The terms of the settlement is as follows:

"Accordingly, with the mutual consent of parties, this Adalat being satisfied with the fairness of settlement arrived and as it is also in the interest of either parties pass the following Award:

a) The opposite party herein is directed to disburse a sum of Rs.87869.00 as ex-gratia amount with respect to the claimant, reckoned as if the gratuity ceiling were Rs.2.5 lakhs and not Rs.1.0 lakh as on the date of the claimant's superannuation, which would be strictly outside the scope of the Payment of Gratuity Act, 1972.

b) The above payment is being accepted and acknowledged by the claimant herein as an ex-gratia outside the scope of the Payment of Gratuity Act, 1972 in full and final settlement of any and all claims in respect of gratuity against the Corporation.

c) On disbursal of the sum as mentioned above, there shall be no further liability on the opposite party herein with respect to any further amount including interest or otherwise for the delay in settlement of ex-gratia."

2. Recording the terms arrived between the parties before the Lok Adalat, the writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

hvk

To

The Controlling Authority,
Under Payment of Gratuity
Act, 1972 & Asst. Labour
Commissioner (Central) II,
26, Haddows Road,
Sasthri Bhavan,
Chennai - 600006.

+1 CC to Mr.N.Nithianandam, Advocate sr 27891.

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SJ(CO)
SP(12/04/2019)