

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.11.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.9485,9487,9488,9489,9491,9845,9510,9512,9513,9515,
9518,9860,9862,9863,9864,9865,9866,9867,9869,9871,23190,23103,23
108,23111,23114,23117,23192,23193,23195,23196,23197,23198,23247,
23249,23256,23257 of 2019

R.DAMODARAN	... PETITIONER in WP No.9485 of 2019
C.ARUMUGAM	... PETITIONER in WP No.9487 of 2019
AUGUSTIN LAGARDE	... PETITIONER in WP No.9488 of 2019
N.RAMACHANDIRAN	... PETITIONER in WP No.9489 of 2019
T. VEERAPPAN	... PETITIONER in WP No.9491 of 2019
R.SIVANANDHAN	... PETITIONER in WP No.9845 of 2019
E.SUBRAMANIAN	... PETITIONER in WP No.9510 of 2019
J.SELVARAJ	... PETITIONER in WP No.9512 of 2019
P.MOHANASUNDARAM	... PETITIONER in WP No.9513 of 2019
E.ARJUNAN	... PETITIONER in WP No.9515 of 2019
R. KRISHNARAJ	... PETITIONER in WP No.9518 of 2019
C.ANTONISAMY	... PETITIONER in WP No.9860 of 2019
B.JANAMAYJAYAN	... PETITIONER in WP No.9862 of 2019
R.CHANDRABANU	... PETITIONER in WP No.9863 of 2019
K.DATCHINAMURTHY	... PETITIONER in WP No.9864 of 2019
M.ANBZHAGAN	... PETITIONER in WP No.9865 of 2019
R.VEERAPPAN	... PETITIONER in WP No.9866 of 2019
V.HARIKRISHNAN	... PETITIONER in WP No.9867 of 2019
L.KRISHNAMOORTHY	... PETITIONER in WP No.9869 of 2019
R.RAMAKRISHNAN	... PETITIONER in WP No.9871 of 2019
N.MONY	... PETITIONER in WP No.23190 of 2019
N.SUBRAMANI	... PETITIONER in WP No.23103 of 2019
S. PERIYASWAMY @ PONNUSAMY	... PETITIONER in WP No.23108 of 2019
A. SAMBASIVAM	... PETITIONER in WP No.23111 of 2019

V.MANIVANNAN ... PETITIONER in WP No.23114 of 2019
M.NANTHAN ... PETITIONER in WP No.23117 of 2019
M.LAKSHMANAN ... PETITIONER in WP No.23192 of 2019
R.DEVADOSS ... PETITIONER in WP No.23193 of 2019
T.DURAIRAJ ... PETITIONER in WP No.23195 of 2019
T.KALIVARATHAN ... PETITIONER in WP No.23196 of 2019
A.RAJAMANICKAM ... PETITIONER in WP No.23197 of 2019
R.UTHIRAMOORTHY ... PETITIONER in WP No.23198 of 2019
K.ADHINARAYANAN ... PETITIONER in WP No.23247 of 2019
G.VEERARAGHAVADOSS ... PETITIONER in WP No.23249 of 2019
K.SUGUMARAN ... PETITIONER in WP No.23256 of 2019
E.THURUVAN ... PETITIONER in WP No.23257 of 2019

...VS...

THE MANAGING DIRECTOR,
SWADESHI COTTON MILLS,
(A GOVT. OF PUDUCHERRY UNDERTAKING),
ORLEANPET, PUDUCHERRY-4.

...1st Respondent in
W.P.Nos.9485,9487,9488,9489,9491,
9845,9510,9512,9513,9515,9518,
9860, 9862 to 9867, 9869, 9871,
23247,23249,23256,23257, 23103,
23108,23111,23114 & 23117 of 2019

THE MANAGING DIRECTOR
M/S.SRI BHARATHI MILLS
(A GOVERNMENT OF PUDUCHERRY
UNDERTAKING) MUDALIARPET
PUDUCHERRY -4.

...1st Respondent in
WP.Nos.23190, 23192, 23193, 23195,
23196, 23197 and 23198 of 2019

THE DISTRICT COLLECTOR,
I - FLOOR, NEW REVENUE COMPLEX,
VAZHUDAVOOR ROAD, PETTAIYANCHATHIRAM,
PUDUCHERRY - 605 009.

TAHSILDAR,
TALUK OFFICE,
100, FEET ROAD, MUDALIARPET,
PUDUCHERRY - 605 004.

..2nd and 3rd Respondent in All WPs.

UNION TERRITORY OF PUDUCHERRY
 REP. BY CHIEF SECRETARY TO GOVERNMENT
 DEPARTMENT OF INDUSTRY AND COMMERCE
 INDUSTRIA ESTATE, HUZUGA THEATRE
 THATTANCHAVADY, PUDUCHERRY -9.

UNION TERRITORY OF PUDUCHERRY
 REP. BY SECRETARY TO GOVERNMENT
 DEPARTMENT OF INDUSTRY OF COMMERCE
 INDUSTRIA ESTATE, HUZUGA THEATRE
 THATTANCHAVADY,
 PUDUCHERRY -9.

.R4 & R5 in WPs.23190,23103,23108,23111,
 23114,23117,23192,23195 to 23198,23247,
 23249, 23256 and 23257 of 2019

Prayer in WP.No.9485 of 2019 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, and direct the second and third respondents to recover a sum of Rs.3,15,318/- towards gratuity along with simple interest @ 10% per annum from 21.09.2016 till 20.07.2018 and a compound interest of 15% from 21.07.2018 till the date of payment of the Gratuity from the first respondent as stipulated in Certificate of Recovery dated 11.12.2018 r/w order dated 11.06.2018 in G.A.No.27 of 2018 issued by the Controlling Authority cum Labour Officer.

WP No.9487 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.2,85,296/- towards gratuity along with simple interest at 10 percentage per annum from 9-3-16 till 20-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-18 R/W order dated 11-6-2018 in G.A.28/2018 issued by the controlling authority cum labour officer.

WP No.9488 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.3,03,822/- towards gratuity along with simple interest at 10 percentage per annum from 27-8-2015 till 20-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-18 R/W order dated 11-6-2018 in G.A.29/2018 issued by the controlling authority cum labour officer.

WP No.9489 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.3,68,328/- towards gratuity along with simple interest at 10 percentage per annum from 3-11-2015 till 20-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-18 R/W order dated 11-6-2018 in G.A.30/2018 issued by the controlling authority cum labour officer.

WP No.9491 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.1,90,740/- towards gratuity along with simple interest at 10 percentage per annum from 13-4-2015 till 20-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-18 R/W order dated 11-6-2018 in G.A.32/2018 issued by the controlling authority cum labour officer.

WP No.9845 of 2019

Direct the 2nd and 3rd respondent to recover a sum of Rs.3,57,318/- towards gratuity along with simple interest @ 10 percent per annum from 29.11.2014 till 08.10.2016 and a compound interest of 15 percent from 09.10.2016 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 11.12.2018 r/w order dated 06.09.2016 in P.G.No. 74 of 2015 issued by the Controlling Authority cum Labour Officer.

WP No.9510 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.3,43,590/- towards gratuity along with simple interest at 10 percentage per annum from 2-4-2014 till 22-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-18 R/W order dated 11-6-2018 in G.A.11/ 2018 issued by the controlling authority cum labour officer.

WP No.9512 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.4,96,588/- towards gratuity along with simple interest at 10 percentage per annum from 20-4-2017 till 2-8-2018 and a compound interest of 15 percentage from 3-8-2018 till the date of payment of Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-18 R/W order dated 29-6-2018 in G.A.23/ 2018 issued by the controlling authority cum labour officer.

WP No.9513 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.2,65,250/- towards gratuity along with simple interest at 10 percentage per annum from 12-8-2015 till 18-7-2018 and a compound interest of 15 percentage from 19-7-2018 till the date of payment of Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-18 R/W order dated 11-6-2018 in G.A.24/ 2018 issued by the controlling authority cum labour officer.

WP No.9515 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.3,69,480/- towards gratuity along with simple interest at 10 percentage per annum from 2-6-2014 till 20-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-18 R/W order dated 11-6-2018 in G.A.25/ 2018 issued by the controlling authority cum labour officer.

WP No.9518 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.3,34,471/- towards gratuity along with simple interest at 10 percentage per annum from 27-4-2014 till 20-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-18 R/W order dated 11-6-2018 in G.A.26/ 2018 issued by the controlling authority cum labour officer.

WP No.9860 of 2019

Direct the 2nd and 3rd respondent to recover a sum of Rs.3,00,762/- towards gratuity along with simple interest @ 10 percent per annum from 29.10.2014 till 30.10.2016 and a compound interest of 15 percent from 31.10.2016 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 01.06.2018 r/w order dated 30.09.2016 in P.G.No. 84 of 2016 issued by the Controlling Authority cum Labour Officer.

WP No.9862 of 2019

Direct the 2nd and 3rd respondent to recover a sum of Rs.63,478/- accrued for the period from 26.05.2013 till 30.04.2015 @ 10 per annum from the 1st respondent mills ad stipulated in Certificate of Recovery dated 11.12.2018 r/ w order dated 31.08.2016 in P.G.No. 86 of 2015 issued by the Controlling Authority cum Labour Officer.

WP No.9863 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.3,50,681/- towards gratuity along with simple interest at the rate of 10 percentage per annum from 3-8-2015 till 20-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of the Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-2018 R/W order dated 11-6-2018 in G.A.No 45/2018 issued by the controlling authority cum labour officer.

WP No.9864 of 2019

Direct the 2nd and 3rd respondent to recover a sum of Rs.3,39,160/- towards gratuity along with simple interest @ 10 percent per annum from 30.11.2014 till 22.07.2018 and a compound interest of 15 percent from 23.07.2018 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 11.12.2018 r/w order dated 11.06.2018 in G.A.No. 89 of 2018 issued by the Controlling Authority cum Labour Officer.

WP No.9865 of 2019

Direct the 2nd and 3rd respondent to recover a sum of Rs.2,65,315/- towards gratuity along with simple interest @ 10 percent per annum from 19.05.2015 till 28.07.2018 and a compound interest of 15 percent from 29.07.2018 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 11.12.2018 r/w order dated 18.06.2018 in G.A.No. 91 of 2018 issued by the Controlling Authority cum Labour Officer.

WP No.9866 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.3,10,311/- towards gratuity along with simple interest at the rate of 10 percentage per annum from 30-5-2016 till 20-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of the Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-2018 R/W order dated 11-6-2018 in G.A.No 46/2018 issued by the controlling authority cum labour officer.

WP No.9867 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.3,55,657/- towards gratuity along with simple interest at the rate of 10 percentage per annum from 14-4-2014 till 20-7-2018 and a compound interest of 15 percentage from 21-7-2018 till the date of payment of the Gratuity from the 1st Respondent as

stipulated in certificate of Recovery dated 11-12-2018 R/W order dated 11-6-2018 in G.A.No 47/2018 issued by the controlling authority cum labour officer.

WP No.9869 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.2,93,378/- towards gratuity along with simple interest at the rate of 10 percentage per annum from 17-4-2016 till 20-7-2018 and a compound interest of 15 percentage from 21-1-2018 till the date of payment of the Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-12-2018 R/W order dated 11-6-2018 in G.A.No 49/2018 issued by the controlling authority cum labour officer.

WP No.9871 of 2019

Direct the 2nd and 3rd Respondent to recover a sum of Rs.3,41,829/- towards gratuity along with simple interest at the rate of 10 percentage per annum from 14-7-2014 till 6-10-2016 and a compound interest of 15 percentage from 7-10-2016 till the date of payment of the Gratuity from the 1st Respondent as stipulated in certificate of Recovery dated 11-6-2018 R/W order dated 6-9-2016 in P.G No 73/2015 issued by the controlling authority cum labour officer.

WP No.23190 of 2019

Direct the respondents 2 to 5 to recover a sum of Rs.2,46,870/- towards gratuity along with simple interest @ 10 percent per annum from 30/08/2008 till 05/01/2018 and a compound interest of 15 percent from 06/01/2018 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 11/12/2018 r/w order dated 05/12/2017 in G.A.No.45 of 2017 issued by the controlling Authority cum Labour Officer.

WP No.23103 of 2019

Direct the Respondents 2 to 5 to recover a sum of Rs.3,71,066/- towards gratuity along with simple interest @ 10 percent per annum from 04.05.2014 till 08.10.2018 and a compound interest of 15 percent from 09.10.2016 till the date of payment of the Gratuity from the 1st Respondent as stipulated in Certificate of Recovery dated 01.03.2019 r/ w order dated 06.09.2016 in P.G.No. 75 of 2015 issued by the Controlling Authority cum Labour Officer.

WP No.23108 of 2019

Direct the Respondents 2 to 5 to recover a sum of Rs. 68,734/- towards simple interest @ 10 percent per annum from 31.10.2012 till 30.04.2015 on the gratuity amount of Rs. 2,75,386.95

already paid in terms of the Certificate of Recovery dated 01.03.2019 r/ w order dated 30.09.2016 in P.G.No. 76 of 2015 issued by the Controlling Authority cum Labour Officer.

WP No.23111 of 2019

Direct the Respondents 2 to 5 to recover a sum of Rs. 1,66,214/- towards gratuity along with simple interest @ 10 percent per annum from 05.08.2013 till 02.10.2016 and a compound interest of 15 percent from 03.10.2016 till the date of payment of the Gratuity and further a sum of Rs. 44,274/- towards simple interest @ 10 percent for the period from 05.08.2013 till 22.10.2015 by the 1st Respondent as stipulated in Certificate of Recovery dated 07.03.2019 r/ w order dated 31.08.2016 in P.G.No. 87 of 2015 issued by the Controlling Authority cum Labour Officer.

WP No.23114 of 2019

Direct the Respondents 2 to 5 to recover a sum of Rs. 3,55,750/- towards gratuity along with simple interest @ 10 per annum from 08.09.2015 till 28.07.2018 and a compound interest of 15 percent from 29.07.2018 till the date of payment of the Gratuity from the 1st Respondent as stipulated in Certificate of Recovery dated 01.03.2019 r/ w order dated 18.06.2018 in G.A.No. 90 of 2018 issued by the Controlling Authority cum Labour Officer.

WP No.23117 of 2019

Direct the Respondents 2 to 5 to recover a sum of Rs. 2,73,339/- towards gratuity along with simple interest @ 10 per annum from 06.11.2014 till 28.07.2018 and a compound interest of 15 percent from 29.07.2018 till the date of payment of the Gratuity from the 1st Respondent as stipulated in Certificate of Recovery dated 01.03.2019 r/ w order dated 18.06.2018 in G.A.No. 92 of 2018 issued by the Controlling Authority cum Labour Officer.

WP No.23192 of 2019

Direct the respondents 2 to 5 to recover a sum of Rs.4,51,379/- towards gratuity along with simple interest @ 10 percent per annum from 21/06/2017 till 21/07/2018 and a compound interest of 15 percent from 22/07/2018 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 18/02/2019 r/w order dated 18/06/2018 in G.A.No.99 of 2018 issued by the controlling Authority cum Labour Officer.

WP No.23193 of 2019

Direct the respondents 2 to 5 to recover a sum of Rs.3,13,173/- towards gratuity along with simple interest @ 10 percent per annum from 12/03/2016 till 09/11/2018 and a compound interest of

15 percent from 10/11/2018 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 18/02/2019 r/w order dated 20/09/2018 in G.A.No.116 of 2018 issued by the controlling Authority cum Labour Officer.

WP No.23195 of 2019

Direct the respondents 2 to 5 to recover a sum of Rs.3,31,538/- towards gratuity along with simple interest @ 10 percent per annum from 17/02/2016 till 31/08/2018 and a compound interest of 15 percent from 31/08/2018 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 18/02/2019 r/w order dated 31/08/2018 in G.A.No.127 of 2018 issued by the controlling Authority cum Labour Officer.

WP No.23196 of 2019

Direct the respondents 2 to 5 to recover a sum of Rs.3,18,087/- towards gratuity along with simple interest @ 10 percent per annum from 20/10/2015 till 07/10/2018 and a compound interest of 15 percent from 08/10/2018 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 18/02/2019 r/w order dated 31/08/2018 in G.A.No.128 of 2018 issued by the controlling Authority cum Labour Officer.

WP No.23197 of 2019

Direct the respondents 2 to 5 to recover a sum of Rs.3,76,290/- towards gratuity along with simple interest @ 10 percent per annum from 03/05/2015 till 07/10/2018 and a compound interest of 15 percent from 08/10/2018 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 01/03/2019 r/w order dated 06/09/2018 in G.A.No.49 of 2018 issued by the controlling Authority cum Labour Officer.

WP No.23198 of 2019

Direct the respondents 2 to 5 to recover a sum of Rs.3,59,726/- towards gratuity along with simple interest @ 10 percent per annum from 15/08/2018 till 20/07/2018 and a compound interest of 15 percent from 21/07/2018 till the date of payment of the Gratuity from the 1st respondent as stipulated in Certificate of Recovery dated 01/03/2019 r/w order dated 11/06/2018 in G.A.No.48 of 2018 issued by the controlling Authority cum Labour Officer.

WP No.23247 of 2019

Direct the Respondents 2 to 5 to recover a sum of Rs.3,43,664/- towards gratuity along with simple interest @ 10 percent per annum from 14.8.2014 till 22.7.2018 and a compound interest of 15 percent from 23.7.2018 till the date of payment of the Gratuity from the 1st Respondent as stipulated in Certificate of Recovery dated 01.03.2019 r/ w order dated 18.6.2018 in G.A.No. 105 of 2018 issued by the Controlling Authority cum Labour Officer.

WP No.23249 of 2019

Direct the Respondents 2 to 5 to recover a sum of Rs. 4,47,186/- towards gratuity along with simple interest @ 10 percent per annum from 26.6.2014 till 3.11.2018 and a compound interest of 15 percent from 4.11.2018 till the date of payment of the Gratuity from the 1st Respondent as stipulated in Certificate of Recovery dated 01.03.2019 r/ w order dated 20.9.2018 in G.A.No. 133 of 2018 issued by the Controlling Authority cum Labour Officer.

WP No.23256 of 2019

Direct the Respondents 2 to 5 to recover a sum of Rs. 5,26,864/- towards gratuity along with simple interest @ 10 percent per annum from 5.5.2015 till 3.11.2018 and a compound interest of 15 percent from 4.11.2018 till the date of payment of the Gratuity from the 1st Respondent as stipulated in Certificate of Recovery dated 07.03.2019 r/ w order dated 20.9.2018 in G.A.No. 135 of 2018 issued by the Controlling Authority cum Labour Officer.

WP No.23257 of 2019

Direct the Respondents 2 to 5 to recover a sum of Rs. 2,73,912/- towards gratuity along with simple interest @ 10 percent per annum from 1.3.2016 till 17.3.2018 and a compound interest of 15 percent from 18.3.2018 till the date of payment of the Gratuity from the 1st Respondent as stipulated in Certificate of Recovery dated 30.4.2019 r/ w order dated 29.1.2018 in G.A.No.49 of 2018 issued by the Controlling Authority cum Labour Officer.

For Petitioner : Mr.N.S.Tanvi (in all WPs)
For Respondents : Ms.N.Mala,
(for first respondent)

Mr.A.V.Ramalingam,
Additional Government Pleader
(for second & third respondents)
(in all WPs)

COMMON ORDER

These Writ Petitions are filed to direct the respondents 2 and 3 to recover the gratuity amount along with interest as per the certificate of recovery issued by the authority competent, based on the order passed in Gratuity Appeal by Controlling Authority cum Labour Officer.

2. These writ petitioners were the employees of the first respondent Sri Bharathi Mills, which is a Government of Puducherry undertaking. On account of the fact that the gratuity dues to the employees are not settled, the employees were constrained to approach the Controlling Authority under the Gratuity Act and after adjudication the Controlling Authority passed an order directing the Government to settle the gratuity dues to all these workmen along with interest. Consequently, the District Collector issued a certificate of recovery so as to recover the amount from the Government and pay the same to the workmen.

3. The learned counsel appearing on behalf of the respondents 2 & 3 made a submission that the Mill is not running profitably and suffering financial losses. The Mill is not in a position to settle the entire dues immediately on account of the financial crisis.

4. Under these circumstances, the District Collector filed an affidavit dated 08.11.2019 stating that the first respondent in reply dated 19.04.2019 has stated that the non-payment of gratuity amount to ex-employees are due to paucity of funds and further the Mill was continuously incurring loss from the date of takeover from NTC by the Government of Puducherry. Further, several other reasons such as higher wage contribution, low work load, old machinery conditions, low productivity were also stated for the non-payment of gratuity amount. The first respondent also stated that the Government of Puducherry is taking steps to give one time settlement as per the recommendations of the one man Committee and requested to give further time for settling the Gratuity amount payable to all these petitioners.

5. The learned counsel appearing on behalf of the respondents 2 & 3 further contended that regarding the payment of gratuity dues, a scheme will be formulated by them to settle the amount proportionately and by following terms and conditions to be stipulated in the scheme. It is made clear that the settlements to be made equally and without causing any discrimination amongst the eligible employees. The Authorities must be cautious while implementing the same and should ensure

that the employees are treated equally and there should not be any discrimination in the matter of settlement of gratuity dues to these employees.

6. Under these circumstances, the respondents are directed to formulate a scheme for the settlement of the gratuity dues as per the orders of the Controlling Authority under the Payment of Gratuity Act, 1972 and accordingly, settle the amount as expeditiously as possible and within a period of 6 months from the date of receipt of copy of this Order.

7. Accordingly, the writ petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (C.S.III)

/True Copy/

sub Assistant Registrar

To

1. THE MANAGING DIRECTOR, SWADESHI COTTON MILLS,
(A GOVT. OF PUDUCHERRY UNDERTAKING), ORLEANPET, PUDUCHERRY-4.

2. THE DISTRICT COLLECTOR, I - FLOOR, NEW REVENUE COMPLEX,
VAZHUDAVOOR ROAD, PETTAIYANCHATHIRAM, PUDUCHERRY - 605 009.

3. TAHSILDAR, TALUK OFFICE,
100, FEET ROAD, MUDALIARPET, PUDUCHERRY - 605 004.

4. THE MANAGING DIRECTOR, M/S. SRI BHARATHI MILLS
(A GOVERNMENT OF PUDUCHERRY UNDERTAKING) MUDALIARPET, PUDUCHERRY-4.

5. THE CHIEF SECRETARY TO GOVERNMENT, UNION TERRITORY OF
PUDUCHERRY, DEPARTMENT OF INDUSTRY AND COMMERCE, INDUSTRIA
ESTATE, HUZUGA THEATRE, THATTANCHAVADY, PUDUCHERRY -9.

6. THE SECRETARY TO GOVERNMENT, UNION TERRITORY OF PUDUCHERRY
DEPARTMENT OF INDUSTRY OF COMMERCE, INDUSTRIA ESTATE, HUZUGA
THEATRE, THATTANCHAVADY, PUDUCHERRY -9.

+1CC to The Public Prosecutor (Puducherry),

Sr.Nos.94208 to 94210 and 94764

+1 cc to M/s.D.Nagasaila, Advocate Sr.No.94520

+1 cc to M/s.N.Mala, Advocate Sr.No.94424

AKM/30.01.2020/12P-10C /

W.P.Nos.9485,9487,9488,9489,9491,9845,9510,9512,9513,9515,
9518,9860,9862,9863,9864,9865,9866,9867,9869,9871,23190,23103,23
108,23111,23114,23117,23192,23193,23195,23196,23197,23198,23247,
23249,23256,23257 of 2019