

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.18200 of 2019
and W.M.P.No.17557 of 2019

- 1.K.Surendiran (Code No.S 0960)
- 2.D.P.Chintamani (Code No.S 1388)
- 3.V.Thiagarajan (Code No.S 1474)
- 4.P.Dhivoshna Reddy (Code No.S 951)
- 5.M.S.Lourthusamy (Code No.S 1589)
- 6.G.Sundaram (Code No.S 1609)
- 7.B.Dhakshinamurthy (Code No.S 1470) ...Petitioners

vs.

- 1.Union Territory of Puducherry,
represented by the Chief Secretary,
Government of Puducherry,
Puducherry - 605 001.
- 2.The District Collector of Puducherry,
Government of Puducherry,
Saram, Puducherry - 605 013.
- 3.The Anglo French Textiles,
A Unit of Pondicherry Textiles Corporation Limited,
represented by its Managing Director,
Mudaliarpeta,
Puducherry - 605 004. ...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Mandamus, to direct the respondents to forthwith pay the amounts of gratuity due and payable to the petitioners together with

interest at the rate of 10% per annum thereon from the respective dates of their retirement along with their entitlement under the Employees Retirement Benefit Fund, pending salary, leave salary and other dues.

For Petitioners : Mr.V.Kamala Kumar

For Respondents : Mr.A.V.Ramalingam for R1 & R2
Additional Government Pleader

Mrs.N.Mala for R3

ORDER

The Writ Petition has been filed by the petitioner seeking direction to direct the respondents to forthwith pay the amounts of gratuity due and payable to the petitioners together with interest at the rate of 10% per annum thereon from the respective dates of their retirement along with their entitlement under the Employees Retirement Benefit Fund, pending salary, leave salary and other dues.

2.The case of the petitioners is that the petitioners were employed as Selection Grade Supervisors under the third respondent and they have also retired from the service either on superannuation or on acceptance of the Voluntary Retirement scheme. The petitioners have put in ranging from 25 to 37 years of unblemished service and hence entitled to payment of gratuity on superannuation or retirement from service as envisaged under Section 4 of the Payment of Gratuity Act. However, till date the retirement benefits and other benefits were not considered. Hence, the present Writ Petition has been filed before this Court.

3.The learned counsel appearing for the petitioners would submit that it would suffice if this Court issues direction to the respondents 1 and 2 to settle the retirement benefits and other benefits to the petitioners within a reasonable time as fixed by this Court.

4.The learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the retirement benefits and other benefits will be settled to the petitioners within a period of six months.

5.Without going into the merits of the case, I am inclined to issue direction to direct the respondents 1 and 2, to settle the retirement benefits and other benefits to the petitioners within a period of six months from the date of receipt of a copy of this order, if not settled already.

6.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

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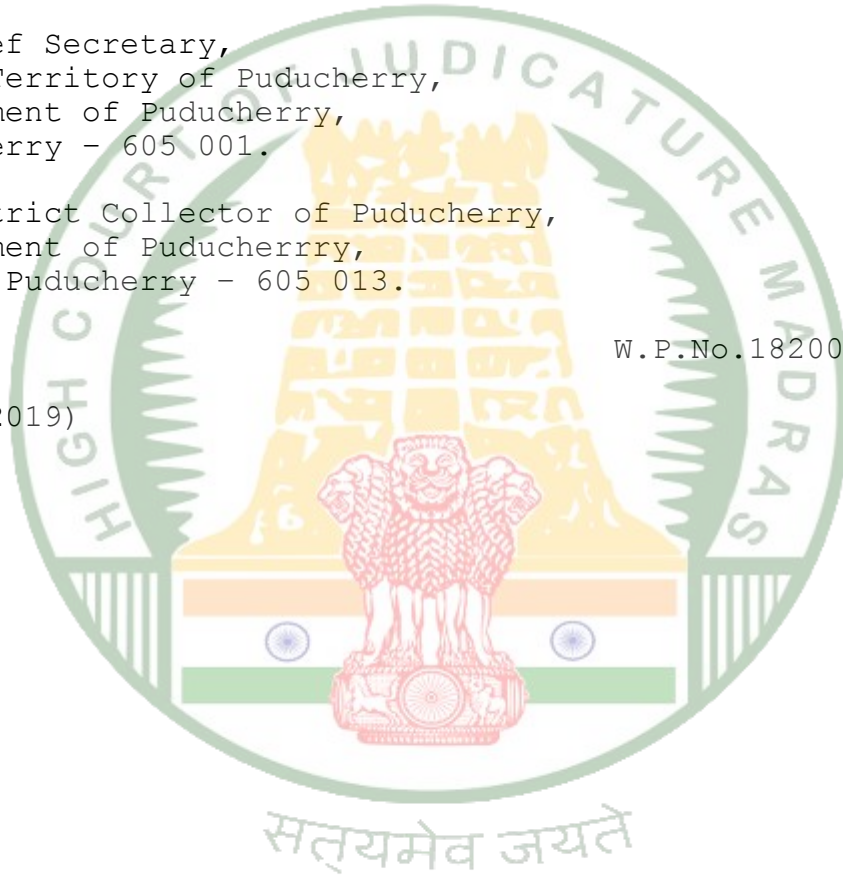
Sub Assistant Registrar

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To

- 1.The Chief Secretary,
Union Territory of Puducherry,
Government of Puducherry,
Puducherry - 605 001.
- 2.The District Collector of Puducherry,
Government of Puducherry,
Saram, Puducherry - 605 013.

W.P.No.18200 of 2019

SJ(CO)
CB(18/12/2019)



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