IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.42243 of 2016

L.Murugaiyan

...Petitioner

vs.

1. The District Collector,
   Thiruvannamalai District,
   Thiruvannamalai.

2. The Tahsildar,
   Cheyyar Taluk, Cheyyar,
   Thiruvannamalai District.

3. The Management/Special Officer,
   Cheyyar Co-operative Building Society Limited,
   H.H.93, Door No.25/4,
   Arcot Road, Cheyyar,
   Thiruvannamalai District.

4.The Assistant Commissioner of Labour,
  Vellore,
  (The authority under the Payment of Gratuity Act, 1972),
  Vellore-1. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first and second respondents to initiate revenue recovery proceedings against the third respondent society for the recovery of the gratuity amount as ordered in proceeding No.C1/1631/2015 dated 11.01.2016 passed by the fourth respondent with 15% compound interest per annum and direct the first and the second respondents to pay it to the petitioner.

For Petitioner : Mr.B.Hari Babu
For Respondents : Mr.J.Ramesh
Additional Government Pleader
for RR1, 2 & 4.
Mr.L.P.Shanmuga sundaram for R3.

O R D E R

The learned Special Government Pleader appearing on behalf of the third respondent/Co-operative Society made a submission that the gratuity amount due to the employee has already been

settled. The said settlement has been given detailed in paragraph No.8 of the counter affidavit filed by the third respondent which is extracted hereunder:

> I respectfully submit that pursuant to interim directions of this Court the 3rd respondent society so far the petitioner has paid a total sum of Rs.30,000/- by way of Demand Draft No.0722264 dated 21.08.2018 for Rs.20,000/- and Demand Draft No.236010 dated 20.09.2018 for Rs.10,000/-

2. In view of the submission that the gratuity dues are settled in favour of the employee concerned, no further adjudication is required in respect of the grounds raised in the present writ petition. Accordingly, the writ petition stands disposed of as infructuous. No costs.

-s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

ssb
To
1. The District Collector,
   Thiruvannamalai District,
   Thiruvannamalai.

2. The Tahsildar,
   Cheyyar Taluk, Cheyyar,
   Thiruvannamalai District.

3. The Assistant Commissioner of Labour,
   Vellore,
   (The authority under the Payment of Gratuity Act, 1972),
   Vellore-1.

+1 CC to Mr.L.P.Shanmuga Sundaram, Advocate sr 98524.
+1 CC to Govt. Pleader sr 98018.

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RGN(CO)
SP(21/01/2020)