

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2019

CORAM

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

W.P.No.3771 of 2014

1.S.Rathinammal
2.M.Ellamaal
3.K.Amuthavalli
4.M.Malarvizhi
5.I.Anthoniammal
6.M.Babu

...Petitioners

Vs.

1.The Management
Madhuranthagam Cooperative Sugar
Mills Limited,
Padalam - 603 308

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The Thasildar
Madhuranthagam Taluk
Kancheepuram District

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Third respondent to take necessary action to recover the amount due to the Petitioners under Revenue Recovery Act as per the Proceedings of the Second Respondent dated 14.11.2012.

For Petitioners : Mr.S.Anbazhagan

For Respondent : M/s.G.Thilakavathy
Senior counsel
For Mr.R.Gophinath
[For R1]

Mr.J.Ramesh
Additional Government Pleader
[For R2 & R3]

O R D E R

The relief sought for in the present writ petition is for a direction to direct the third respondent to take necessary action to recover the amount due to the Petitioners under Revenue Recovery Act as per the Proceedings of the Second Respondent dated 14.11.2012.

2. The grievances of the writ petitioners are that the interest of gratuity amount was not settled properly. The difference amount of interest is to be paid and in this regard, the District Collector passed an order in proceedings dated 14.11.2012, directed the Tahsildar, Madhuranthagam to recover the differential amount and settle the same in respect of the writ petitioners.

3. Relying on the same, the learned counsel for the writ petitioner states that the interest was not calculated properly and accordingly, actions are to be initiated based on the order dated 14.11.2012 by the Tahsildar, Madhuranthagam.

4. The learned Senior counsel appearing on behalf of the 1st respondent Management made a submission that there was a calculation error in respect of the interest alone and the Management itself re-calculated the interest as applicable and to be paid to the writ petitioners and accordingly, the difference amount would be settled at the earliest possible.

5. In view of the fact that the 1st respondent Management admitted that there was an error in the calculation of interest on gratuity, this Court is inclined to direct the 1st respondent to re-calculate the interest amount as applicable and with reference to the statute and rules and accordingly, settle the said amount within a period of six weeks from the date of receipt of a copy of this order.

6. With this direction, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

kak

To

1.The Management
Madhuranthagam Cooperative Sugar
Mills Limited,
Padalam - 603 308

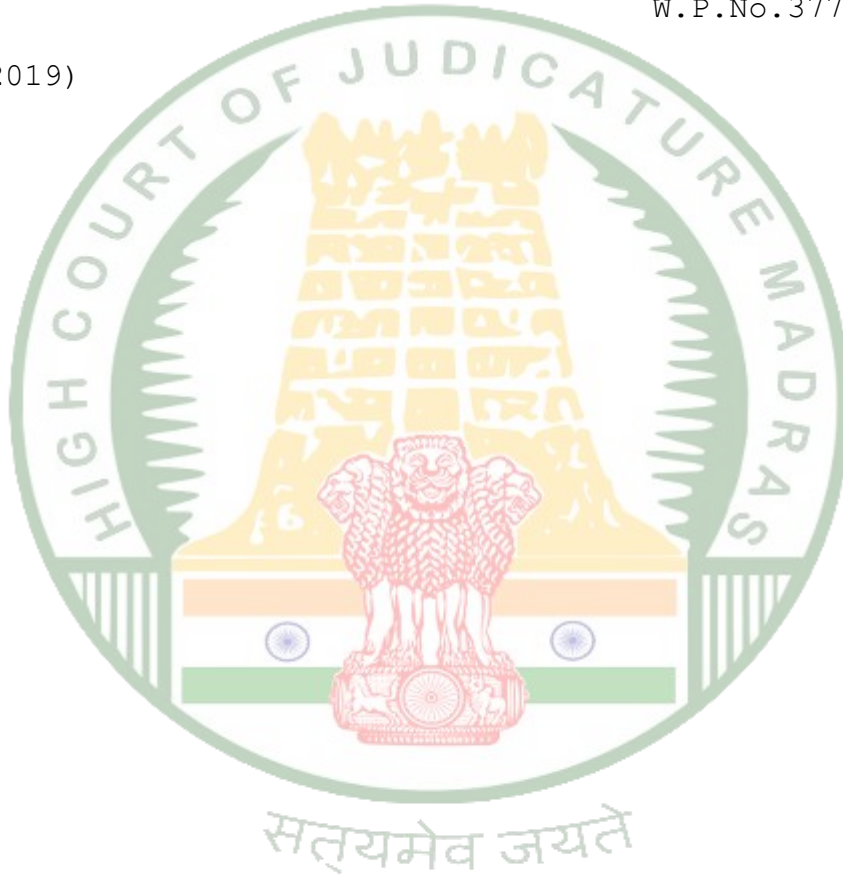
2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The Thasildar
Madhuranthagam Taluk
Kancheepuram District.

+1cc to Mr.S.Anbazhagan, Advocate SR.97955
+1cc to Mr.R.Gopinath, Advocate SR.97263
+1cc to the Government Pleader SR.98074

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(CO)
CB(17/12/2019)



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