



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.6902 of 2011
and M.P. (MD) .No.2 of 2011

The Management
Peerless Theatre
Mayiladuthurai 609 001
Nagapattinam District.

.. Petitioner

Vs.

1.The Joint Commissioner of Labour cum
Appellate Authority under Payment of
Gratuity Act, Tiruchirappalli.

2.The Assistant Commissioner of Labour cum
Authority under Payment of Gratuity Act,
Tiruchirappalli.

3.V.Radhakrishnan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorari, to call for the records in the impugned order dated 08.03.2011 in P.G.A.No.318/2010 passed by the 1st respondent as confirmed the order dated 19.05.2010 in P.G.I.A.No.11/2010 passed by the 2nd respondent and quash the same.

For Petitioner : Mr.M.V.Venkateseshan

For Respondents : Mr.M.Jeyakumar for R1 & R2
Additional Government Pleader
No appearance for R3

ORDER

This petition has been filed challenging the order passed by the first respondent in P.G.A.No.318/2010, dated 08.03.2011 confirming the order passed by the second respondent, dated 19.05.2010 in P.G.I.A.No.11/2010.

2.An application was filed by the third respondent in the writ petition before the second respondent in P.G.I.A.No.11/2010 for condoning the delay in filing the claim petition. The said



application was allowed and the appeal preferred as against the same by this writ petitioner was dismissed.

3.Now, it appears that the petitioner and the third respondent have entered into compromise in the claim petition which was heard by the second respondent namely the Assistant Commissioner of Labour, Authority under Payment of Gratuity, Tiruchirappalli. It is also stated that an amount of Rs.30,000/- arrived at as an amount payable to the third respondent was paid to him on 20.07.2011. It is in the said circumstances, the counsel for the writ petitioner states that the writ petition has become infructuous.

4.As a result, this writ petition is dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

1.The Joint Commissioner of Labour cum
Appellate Authority under Payment of
Gratuity Act, Tiruchirappalli.

2.The Assistant Commissioner of Labour cum
Authority under Payment of Gratuity Act,
Tiruchirappalli.

+1 CC to M/s.M.V.VENKATASESHAN, Advocate (SR-86735[F] dated
16/09/2019)

+1 CC to M/s.SPL GP (SR-86928[F] dated 16/09/2019)

W.P. (MD) .No.6902 of 2011
13.09.2019

TM

MS/25.09.2019/2P.5C