



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.06.2019

CORAM:

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR
W.P.(MD)Nos.12714, 12716, 12728 & 12734 of 2019

W.P(MD)No.12714 of 2019

N.Muniyasam	...Petitioner in W.P.(MD)No.12714 of 2019
N.Rama Subramanian	...Petitioner in W.P.(MD)No.12716 of 2019
A.Mangaiarkarasi	...Petitioner in W.P.(MD)No.12728 of 2019
N.Murugesan	... Petitioner in W.P(MD)No.12734 of 2019

Vs.

1.The Commissioner,
HR & CE (Admn.) Department,
Nungampakkam High Road,
Nungampakkam,
Chennai.

2.The District Collector,
Madurai District,
Madurai.

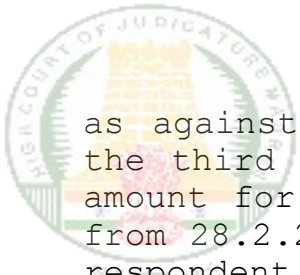
3.The Controlling Authority/Deputy Commissioner of Labour,
(Under Payment of Gratuity Act)
Bharathi Ula Road,
K.Pudur,
Madurai.

4.The Assistant Commissioner/Executive Officer,
Arulmighu Koodal Alagar Thirukovil,
Madurai.

... Respondents
in all the writ petitions

PRAYER in W.P(MD)No.12714 of 2019: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to proceed under the Revenue Recovery Act as against the fourth respondent to implement the order passed by the third respondent in G.P.No.215 of 2016 to collect the Gratuity amount for a sum of Rs.2,38,265/- with interest at the rate of 15% from 30.06.2011 till the payment as per the proceedings of the third respondent in ~~2~~6/6732/2017 dated 29.05.2018 and disburse the amount to the petitioner within the time frame that may be stipulated by this Court.

PRAYER in W.P(MD)No.12716 of 2019: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to proceed under the Revenue Recovery Act



as against the fourth respondent to implement the order passed by the third respondent in G.P.No.212 of 2016 to collect the Gratuity amount for a sum of Rs.2,11,791/- with interest at the rate of 15% from 28.2.2011 till the payment as per the proceedings of the third respondent in aj6/6732/2017 dated 29.05.2018 and disburse the amount to the petitioner within the time frame that may be stipulated by this Court.

PRAYER in W.P(MD)No.12728 of 2019: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to proceed under the Revenue Recovery Act as against the fourth respondent to implement the order passed by the third respondent in G.P.No.214 of 2016 to collect the Gratuity amount for a sum of Rs.1,89,955/- with interest at the rate of 15% from 30.06.2013 till the payment as per the proceedings of the third respondent in aj6/6732/2017 dated 29.05.2018 and disburse the amount to the petitioner within the time frame that may be stipulated by this Court.

PRAYER in W.P(MD)No.12734 of 2019: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to proceed under the Revenue Recovery Act as against the fourth respondent to implement the order passed by the third respondent in G.P.No.213 of 2016 to collect the Gratuity amount for a sum of Rs.7,78,410/- with interest at the rate of 15% from 31.01.2013 till the payment as per the proceedings of the third respondent in aj6/6732/2017 dated 29.05.2018 and disburse the amount to the petitioner within the time frame that may be stipulated by this Court.

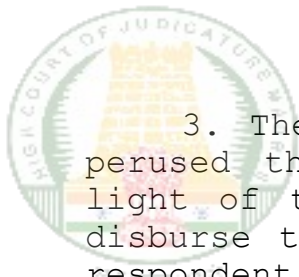
For Petitioners : Mr.K.Guhan
(in all Cases)
For R1 to R3 : Mr.Aayiram K.Selvakumar
(in all cases) Additional Government Pleader

For R4 : Mr.K.R.Laxman
(in all Cases)

C O M M O N O R D E R

The issue involved in all the writ petitions are one and the same and hence, both the writ petitions are disposed of by common order.

2. When the matter is taken up for hearing today, the learned Additional Government Pleader appearing for the respondents 1 to 3 has produced the G.O.(Ms) No.53 Tourism, Cultural and Endowments (mep-1) Department, dated 27.05.2019, wherein the approval has granted to the Temple Authorities for payment of Gratuity amount under Tamil Nadu Gratuity Act, 1972.



3. The learned counsel appearing for the petitioners has also perused the aforesaid Government Order and reported that in the light of the Government Order, the fourth respondent/Temple shall disburse the Gratuity amount as per the order passed by the third respondent, within the time frame fixed by this Court.

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4. The learned counsel appearing for the fourth respondent would submit that if sufficient time is granted, the order passed by the third respondent will be complied by the fourth respondent as directed by this Court.

5. Recording the submissions made by both counsel, this Court directs the fourth respondent to disburse the Gratuity amount as per the order passed by the third respondent, dated 08.05.2017 within a period of eight weeks from the date of receipt of a copy of this order. Failing which, the fourth respondent shall pay the interest at the rate of 12% p.a., to the petitioners.

With the above directions, all these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Commissioner,
HR & CE (Admn.) Department,
Nungampakkam High Road,
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Arulmighu Koodal Alagar Thirukovil, Madurai.

+4 CC to Mr. K. GUHAN, Advocate SR-68226.

+4 CC to SPL GP SR-68321.

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