



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.20294 of 2019

K.V.Lalli

... Petitioner

-Vs-

1.The Appellate Authority Cum Joint Commissioner of Labour
(Under the payment of Gratuity Act)
East Maarat Street
Madurai

2.The Controlling Authority Cum Assistant Commissioner
(Under the payment of Gratuity Act)
142/1, Sundaram Theatre Road
K.K.Nagar
Madurai

3.Thirupuvanam Silk Handloom Weavers Co-operative Society
Thirupuvanam
Kumbakonam
Thanjavur District 612 103

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to take appropriate action to disburse the gratuity amount due to the death of the petitioner's husband namely K.Venkateswaran, employee of the third respondent on 20.01.2018.

For Petitioner : Mr.K.K.Kannan

For Respondents : Mr.V.Anand

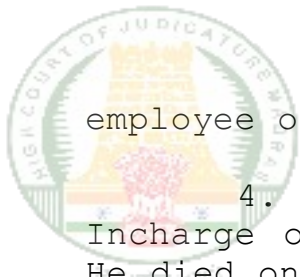
Government Advocate

ORDER

Heard Mr.K.K.Kannan, learned counsel appearing on behalf of the writ petitioner and Mr.V.Anand, learned Government Advocate, who takes notice on behalf of the respondents.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The Petitioner has come out with the present writ petition for a direction to the third respondent to take appropriate action to disburse the gratuity amount due to the petitioner's husband namely, K.Venkateswaran,



employee of the third respondent.

4. According to the petitioner, her husband was working as Incharge of Madurai branch of the third respondent silk society. He died on 20.01.2018, while he was in service. After death of her husband, she is receiving the pension amount. In this circumstance, the third respondent has not disbursed the terminal benefit payable to her husband. Hence, the petitioner has made several representations to the respondents for disbursement of the gratuity and other benefits from 19.03.2018, but the third respondent has not passed any order. Finally, she gave representation to the third respondent on 16.09.2019.

5.The learned counsel for the petitioner submitted that if a direction is issued to the third respondent to consider the representation of the petitioner, it would suffice.

6.In view of the submission made by the learned counsel for the petitioner, without deciding the issue on merits, the third respondent is directed to consider the representation of the petitioner dated 16.09.2019 and pass orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS)

MSA

To

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Thanjavur District 612 103

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+1 CC to M/s.K.K.KANNAN, Advocate (SR-88177[F] dated 20/09/2019)

+1 CC to M/s.GP (SR-88575[F] dated 23/09/2019)

W.P. (MD) No.20294 of 2019

20.09.2019

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