

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 29.09.2020
CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 30407 of 2019

1. E.Rajagopal
2. L.K.Baskaran
3. P.Murugesan
4. S.T.Jayaseelan
5. V.Vilvanathan

... Petitioners

-vs-

1. The District Collector,
Vellore District Collector Office,
Sathuvachari,
Vellore - 632 009.
2. The Revenue Divisional Officer,
Sathuvachari,
Vellore - 632 009.
3. The Tahsildar,
Katpadi Taluk,
Vellore - 632 519.
4. The Managing Director,
The Vellore Co-operative Sugar Mills Ltd.,
Ammundi, Vellore Sugar Mills Post,
Katpadi Taluk,
Vellore District - 632 519.

... 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 dispose of the Petitioner's representation dated 20.06.2019.

For Petitioners : Mr. R.Vimal

For Respondents : Mr. D.Sathyaraj,
Special Government Pleader (for R1 to R3)

Mr. R.Balaramesh,
Special Government Pleader (for R4)

O R D E R
(through video conference)

Heard Mr. R.Vimal, Learned Counsel for the Petitioners, Mr. D.Sathyaraj, Learned Special Government Pleader appearing for the First to Third Respondents and Mr. R.Balaramesh, Learned Special Government Pleader appearing for the Fourth Respondent and perused the materials place on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Third Respondent to dispose the representations dated 20.06.2019 made by the Petitioners in which they had sought for recovery of the gratuity amount due to them in terms of the separate orders dated 09.06.2017 in P.G. Nos. 116 to 119 of 2016 and the order dated 30.06.2017 in P.G. No. 66 of 2016 passed by the Controlling Authority under the Payment of Gratuity Act, 1972 (hereinafter referred to as the 'Controlling Authority' for short).

3. The Third Respondent has filed action taken report stating that in terms of the aforesaid orders passed by the Controlling Authority, following amounts have been recovered from the Fourth Respondent in respect of each of the Petitioners and deposited with the Deputy Commissioner of Labour, Vellore:-

S. No.	Name of the Petitioners	Amount deposited
1.	Thiru.E.Rajagopal	Rs.4,70,912/-
2.	Thiru.L.K.Baskaran	Rs.3,59,209/-
3.	Thiru.P.Murugesan	Rs.4,70,912/-
4.	Thiru.S.T.Jayaseelan	Rs.4,04,092/-
5.	Thiru.V.Vilwanathan	Rs.4,72,823/-
Total		Rs.21,77,948/-

In view of the subsequent events, nothing remains for further consideration in this Writ Petition. It is made clear that if the Petitioners are still aggrieved, they are not precluded from working out their remedy for appropriate relief before the

proper forum in the manner recognized by law. The Petitioners are at liberty to make necessary application before the Deputy Commissioner of Labour, Vellore for withdrawal of the gratuity amount of gratuity due to each of them that has been deposited by the Fourth Respondent.

4. Accordingly, the Writ Petition is disposed on the aforesaid terms. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The District Collector,
Vellore District Collector Office,
Sathuvachari, Vellore - 632 009.
2. The Revenue Divisional Officer,
Sathuvachari,
Vellore - 632 009.
3. The Tahsildar,
Katpadi Taluk,
Vellore - 632 519.
4. The Managing Director,
The Vellore Co-operative Sugar Mills Ltd.,
Ammundi, Vellore Sugar Mills Post,
Katpadi Taluk,
Vellore District - 632 519.

Copy to

1. E.Rajagopal,
S/o Eruson,
No. 3/98, Mariyamman Kovil Street,
T.C. Kuppam, Rathinagiri Post,
Walaja Taluk,
Vellore District.
2. L.K. Baskaran,
S/o L.S. Kailasa Acheri,
No. 140, Mandaveli Street,
Thiruppakuttai, Sugar Mill Post,

Katpadi Taluk,
Vellore District - 632 519.

3. P. Murugesan,
S/o. Parasuraman,
Mariyamman Kovil Street,
T.C. Kuppam, Rathinagiri Post,
Walaja Taluk,
Vellore District.
4. S.T. Jayaseelan,
S/o. Sinkaram,
No. 110, Church Kovil Street,
Sambavarayanallur,
Sugar Mill Post,
Katpadi Taluk,
Vellore District.
5. V. Vilvanathan,
S/o. Verabathiran,
Thiruvalam Main Road, Kuppathamettur Village,
Ammundi Post,
Katpadi Taluk,
Vellore - 632 519.
6. The Deputy Commissioner of Labour,
Vellore.

W.P. No. 30407 of 2019

rld (CO)
A.SK(02/11/2020)