



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.4386 of 2011

H.Sundarraaj

... Petitioner

Vs.

1. The District Collector,  
Coimbatore District.
2. The Tahsildar,  
Valparai,  
Coimbatore District.
3. The Assistant Commissioner of Labour,  
Office of the Deputy Commissioner,  
Coimbatore District.
4. The Management of Mahaveer Plantation,  
High Forest Estate,  
Valparai - 642 127.
5. The Managing Director,  
Mahaveer Plantation Limited,  
No.41, Neeraj Apartment,  
17/72, Valkeshwar,  
Mumbai 400 006.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the 1<sup>st</sup> and 2<sup>nd</sup> Respondents to take appropriate action under Revenue Recovery Act for collection of the Gratuity amount to the tune of Rs.1,42,567/- together with interest at the rate of 10% per annum for the said amount from 01.09.2001 till 31.08.2004 and compound interest at the rate of 15% per annum from 01.09.2004 till the date of actual recovery of the said amount, from the 4<sup>th</sup> and 5<sup>th</sup> Respondents as per the orders passed by the 3<sup>rd</sup> Respondent in Gratuity Case No.G.A.164/2004 dated 26.07.2004 and also as per the requisition made by the 3<sup>rd</sup> Respondent dated 01.02.2005 and to pay the same to the Petitioner.



For Petitioner : No appearance  
For Respondents 1 to 3 : Mr.L.S.M.Hasan Fizal,  
Government Advocate  
For Respondents 4 & 5 : No appearance

WEB COPY

#### O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the 1<sup>st</sup> and 2<sup>nd</sup> Respondents to take appropriate action under Revenue Recovery Act for collection of the Gratuity amount to the tune of Rs.1,42,567/- together with interest at the rate of 10% per annum for the said amount from 01.09.2001 till 31.08.2004 and compound interest at the rate of 15% per annum from 01.09.2004 till the date of actual recovery of the said amount, from the 4<sup>th</sup> and 5<sup>th</sup> Respondents as per the orders passed by the 3<sup>rd</sup> Respondent in Gratuity Case No.G.A.164/2004 dated 26.07.2004 and also as per the requisition made by the 3<sup>rd</sup> Respondent dated 01.02.2005 and to pay the same to him.

2. Today, when the matter is taken up for hearing, learned Government Advocate appearing for Respondents 1 to 3 represented that, a Memo has already been filed by the erstwhile Additional Government Pleader on 27.01.2021, stating that, a sum of Rs.1,42,567/- has been settled to the Petitioner herein on various dates in the year 2010-2012. Along with the Memo, proceedings dated 22.01.2021 of the Tahsildar, Vapalarai addressed to the Additional Government Pleader, High Court, Madras, has been produced.

3. In view of the above and recording the submissions of the learned Government Advocate, no further orders are required to be passed. Accordingly, the Writ Petition is closed. If the Petitioner has any grievance, it is open to him to work out his remedy elsewhere or to reopen the Petition, if so advised. No costs.

Sd/-  
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

(aeb)



To:

1. The District Collector,  
Coimbatore District.
2. The Tahsildar,  
Valparai,  
Coimbatore District.
3. The Assistant Commissioner of Labour,  
Office of the Deputy Commissioner,  
Coimbatore District.

+1cc to Government Pleader SR.No.30404

W.P.No.4386 of 2011

GPL (CO)  
GMY (20/07/2021)