



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2021

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) No.1373 of 2018

M.Srinivasan

.. Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Management,
R.S.857, Manamadurai Town Co-operative Credit Society Ltd.,
Manamadurai,
Sivagangai District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to recover the petitioner's Gratuity amount a sum of Rs.9,45,241/- alongwith interest from the 2nd respondent as per the Recovery Certificate issued by the Assistant Commissioner of Labour, Madurai dated 29.11.2017 by way of the Revenue Recovery Act based on the petitioner's representation dated 04.12.2017 within a time frame as stipulated by this Court.

For Petitioner

: Mr.S.Karthik

For R1

: Mr.K.S.Selvaganesan

Standing Counsel

For R2

: No Appearance

ORDER

Heard Mr.S.Karthik, learned counsel for the petitioner and Mr.K.S.Selvaganesan, learned Standing Counsel for the first respondent/State. Despite the name of Mr.P.Balasubramanian, learned counsel, who has entered appearance for R2, figuring in the cause list, there is no appearance for R2 or on their behalf.

2.The prayer is for a Mandamus simpliciter directing the first respondent to recover Gratuity amount due to the petitioner, quantified at a sum of Rs.9,45,241/-, along with interest from the second respondent, being the Management of Manamadurai Town Co-operative Credit Society Ltd., and pay over the same to the petitioner.

3.The petitioner, in this regard, relies upon a Recovery Certificate issued by the Assistant Commissioner of Labour, Madurai



dated 29.11.2017 that has been placed before the first respondent alongwith his representations dated 04.12.2017 and 18.12.2017 seeking the same relief as sought for in this writ petition. Acknowledgement cards have been filed to evidence receipt of the representations by the first respondent.

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3.In the above circumstances, it would suffice that a direction be issued to the first respondent to consider and dispose the representations of the petitioner in a time bound fashion. Accordingly, the first respondent is directed to consider the representations of the petitioner dated 04.12.2017 and 18.12.2017, by taking note of all relevant materials including Recovery Certificate dated 29.11.2017, hear the petitioner, and pass an appropriate orders on merits and in accordance with law, within a period of four weeks from the date of uploading of a copy of this order upon the official website of the Government.

4.The Writ Petition is disposed of, Accordingly, No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Management,
R.S.857, Manamadurai Town Co-operative Credit Society Ltd.,
Manamadurai,
Sivagangai.

+1 CC to M/s.S.KARTHIK, Advocate (SR-33812[F] dated 09/11/2021)

+1 CC to M/s.SPL.GP (SR-33951[F] dated 10/11/2021)

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PS (CO)
KB (29.11.2021) 2P 5C