



WEB COPY



WP No.3927 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29-11-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.3927 of 2019

AFT PANJALAI OIVU PETRA OZHIYARGAL SANGAM

Represented by its President B.Sathiyaseelan,

Age 63 Yrs/M,

S/o.Baghavan Pandurangan,

No.01, Jayavilas Nagar (Extension),

Mudaliarpeta,

Puducherry-605 004,

Reddiyar Palayam,

Puducherry UT-605 010.

..

Petitioner

VS.

1.Union Territory of Puducherry,

Represented by the Chief Secretary,

Chief Secretariat,

Beach Road,

Goubert Avenue,

Puducherry UT-605 001.

2.The Government of Puducherry,

Represented by the Secretary to Government,

Labour and Employment Department,

Chief Secretariat,

Beach Road,

Goubert Avenue,

Puducherry UT-605 001.



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3. The District Collector,

Vazhudavur Road,
Petayan Chathiram,
Puducherry UT-605 009.

4. The Labour Officer (Enforcement),

Labour Department Complex,
Gandhi Nagar, 3rd Floor,
Puducherry UT-605 009.

5. M/s. Anglo French Textiles,

Represented by the Managing Director,
(A Unit of Pondicherry Textile Corporation Limited),
AFT Mill Premises, Cuddalore Road,
Mudaliyarpet,
Puducherry UT-605 004. ..

Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the third respondent to recover from the fifth respondent the entire amount towards payment of Gratuity, due and payable to all the eligible members of the petitioner along with appropriate interest (to be compounded annually) till the date of actual payment from the fifth respondent in terms of payment of Gratuity Act, 1972 and disburse the same to the members of the petitioner, within a limited time frame.

For Petitioner

: Mr.I.Kabilan for



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(Puducherry).

Mr.M.Ravi.

: Ms.G.D.Jerany,
Government Advocate

For Respondent-5

: Ms.Priyadharsini for
Ms.G.Sudha

ORDER

The learned counsel for the petitioner-Sangam made a submission that the Gratuity amount due to the petitioner-Sangam has already been settled along with the interest at the rate of 10% per annum. However, the interest rate of 5% per annum in addition has already been proposed and which is to be settled.

2. The learned Government Advocate, appearing on behalf of the respondents 1 to 4 and the learned counsel appearing on behalf of the fifth respondent made a submission that the Gratuity amount in entirety has been settled along with interest at the rate of 10% per annum as per the Rules in force.



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3. If at all the respondents considered the claim for grant of additional interest in respect of all the employees, then the same is to be considered for the petitioner-Sangam also. However, the fact remains that the Gratuity amount has already been settled, no further adjudication is required in respect of the grounds raised in the present writ petition.

4. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

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Index : Yes/No.

Internet : Yes/No.

Speaking Order/Non-Speaking Order.

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To

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