



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No. 27643 of 2013
and M.P.No. 1 of 2014

1. D.Sampath
2. P.Mani
3. G.K.Palaniswamy
4. A.Subramaniam
- 5.G.Rangaraj

..Petitioners

Vs

1. The Assistant Commissioner of Labour,
Office of the Deputy Commissioner of Labour,
Coimbatore - 641018.
- 2.The District Collector,
The District Collector Office,
Tiruppur.
- 3.The Management
Coimbatore Popular Spinning Mills Ltd.,
Trichy Main Road, Pongalur,
Tiruppur.

..Respondents

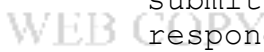
Prayer: Writ Petition is filed under Article 226 of Constitution of India for writ of Mandamus, directing the 2nd respondent to recover the remaining gratuity amount of the petitioners as per the award of the 1st respondent dated 07.05.2010 and further direct the 1st respondent to disburse the same to the petitioners.

For Petitioner : M/s.Sowmi Dattan

For Respondents : Mr.P.Anandakumar, GA - R1 & R2
Mr.Haroon Al. Raseed - R3
For M/s.T.S.Gopalan & Co.

O R D E R

The relief sought for in the writ petition is to direct the 2nd respondent to recover the remaining gratuity amount of the petitioners as per the award of the 1st respondent dated



2. The learned counsel appearing for the petitioners submitted that these writ petitioners were worked under the 3rd respondent/management for more than 15 years and subsequently, they were terminated from service by the 3rd respondent/Management. Writ petitioners approached the 3rd respondent for eligible gratuity under the Payment of Gratuity Act both in person and through representation. The 3rd respondent had rejected the said request of the petitioners. Hence the petitioners approached the 1st respondent by way of Gratuity claim petition and the 1st respondent by common order dated, passed a common order sanctioning the claim made by the petitioner and directed the 3rd respondent to pay the award amount within a period of 30 days.

4. The contention of the learned counsel for the petitioners is that the writ petition is of the year 2013 and so far the 3rd respondent/Management has not settled the entire amount as per the award.

6. Heard both sides and perused the materials available on record.

<https://hcservices.ecourts.gov.in/hcservices/>



Village.

8. The learned counsel appearing for the petitioners also agreed for the said undertaking and informed this Court that as per the award the 3rd respondent has to pay the said amount along with interest @ 10% per annum.

9. Accepting the submissions made by the learned counsels appearing for the parties concerned, the 3rd respondent/Management is directed to settle the aforesaid agreed balance amount of Rs.1,04,000/- including interest within a period of eight (8) weeks from the date of receipt of a copy of this order. Failing which, the 1st respondent is directed to initiate the recovery proceedings and settle the amount to the petitioners, as expeditiously as possible, without any further delay.

10. With the above directions, the writ petition stands dispose of. No costs.

Sd/-
Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar

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To

1. The Assistant Commissioner of Labour,
Office of the Deputy Commissioner of Labour,
Coimbatore - 641018.

2.The District Collector,
The District Collector Office,
Tiruppur.

+1cc to M/s.T.S.Gopalan & Co, Advocate SR.No.4480

+1cc to Government Pleader SR.No.4763

W.P.No. 27643 of 2013
and M.P.No. 1 of 2014

PCH (CO)
GMY (07/03/2022)