



W.P.(MD) No.2911 of 2020

[BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD) No.2911 of 2020

R.Avudaiyappan

... Petitioner

-VS-

1.The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam, Chennai.

2.The Deputy Commissioner/Executive Officer,
Arulmigu Sankaranarayanaswamy Thirukovil
Sankarankovil, Tenkasi District.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to pay the gratuity amount with interest of 10% to the petitioner as per the order of the Assistant Commissioner of Labour, Tirunelveli passed in PG No.82/2019 dated 01.07.2019.

For Petitioner : Mr.P.Rajagopalan

For Respondents : Mr.VR.Shanmuganathan



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ORDER

The writ petition has been filed for a direction to the respondents to pay the gratuity amount with interest of 10% to the petitioner as per the order of the Assistant Commissioner of Labour, Tirunelveli passed in PG No.82/2019 dated 01.07.2019.

2.The petitioner's case is that he was working as Junior Assistant in the 2nd respondent temple from 01.07.1981 to 31.10.2013 for a period of 33 years. While so, the petitioner has approached the respondents for payment of gratuity. However, the same has not been paid. Hence, the petitioner approached the labour Court, Tirunelveli in P.G.No.82/2019 under the Payment of Gratuity Act, 1972. The labour Court directed the respondents to pay a sum of Rs.4,60,483/- along with interest at the rate of 10% from the date of actual payment of gratuity till the payment under Section 7(3A) of the said Act. Hence, the petitioner sent a representation to the 2nd respondent on 16.09.2019 for payment of gratuity. However, since



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the same has not been considered, the petitioner has approached the first respondent on 29.01.2020 by way of another representation. However, since no effective steps have been taken so far, the petitioner is before this Court with the present writ petition.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

4. Considering the limited scope of the writ petition, the 2nd respondent is directed to implement the order passed by the Assistant Commissioner of Labour in PG No.82/2019 for payment of gratuity as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

06.12.2022

Index : Yes/No
Internet : Yes
RR



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To

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- 2.The Deputy Commissioner/Executive Officer,
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M.DHANDAPANI, J.

RR

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