



W.P.No.300



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2023

CORAM:

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P.No.3000 of 2009
and M.P.No.1 of 2009

The Manager (HRD),
Hindustan Photo Films Manufacturing Company Ltd.,
Ootacamund – 643 005,
The Nilgiris.

...Petitioner

vs.

1.The Regional Labour Commissioner (Central),
The Appellate Authority under the
Payment of Gratuity Act, 1972,
No.26, Haddows Road,
Sastri Bhavan,
Chennai – 600 006.

2.The Assistant Labour Commissioner (Central),
Controlling Authority under the
Payment of Gratuity Act, 1972,
No.26, Haddows Road,
Sastri Bhavan,
Chennai – 600 006.

3.N.Thanaraj
4.N.Rathnasingh
5.K.Balasubramanian
6.Immanuel Gunaseelan
7.B.C.Kamala
8.R.S.Balasundaram
9.G.Chandrasekaran
10.N.Raman
11.D.Chandran
12.J.Alphonse



WEB COPY

- 13.J.Bellie
- 14.G.Charles
- 15.J.Mani
- 16.K.J.Ramachandran
- 17.G.Suresh
- 18.T.N.Desingh
- 19.G.Danasingh
- 20.T.R.Halan
- 21.V.Dakshanamoorthy
- 22.A.Thulasidas
- 23.A.Mathan
- 24.R.Shanmugam
- 25.M.Jayaraman
- 26.V.Arumugam
- 27.Michael Thamodo
- 28.B.Bojan
- 29.A.R.Bojan
- 30.B.Bellie
- 31.N.Devaraj
- 32.C.Ganeshamoorthy
- 33.S.Venugopal
- 34.S.Philipmark
- 35.B.Padmanaban
- 36.T.Sathiyathan
- 37.R.Halan
- 38.K.R.Desingh
- 39.A.Rakamathullah
- 40.Alfred Solomon

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the order dated 25.04.2008 passed by the 2nd respondent in Gratuity Application Nos.2, 3, 5, 6, 8, 9, 12, 14, 15, 19, 50, 53, 56, 60 to 63, 65-66, 68, 72, 76-77, 80, 83, 85, 96, 98, 112, 114, 119, 121, 125, 129-130, 137, 100 and 113 of 2007 dated 25.04.2008 and confirmed by the 1st respondent in G.A.Nos.9 to 46 of 2008 dated 20.01.2009 and quash the same.



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For Petitioner : Mr.V.Kalyana Raman
for M/s.Aiyar and Dolia

For Respondents : R1 & R2 – No appearance
R3 to R40 served – No appearance

ORDER

Challenging the order passed under the Provisions of the Payment of Gratuity Act, 1972.

2.It is submitted by the learned counsel for the petitioner that pending this Writ Petition for the dues payable to the Canara Bank, it had initiated a Company Petition which has been transferred to the National Company Law Tribunal in T.C.P.No.1 of 2021 and it is also stated that one Mr.C.Prabakaran has also appointed as an Interim Resolution Professional by the order of the National Company Law Tribunal dated 07.01.2022.

3.In view of the subsequent orders that had been passed, this Writ Petition is disposed of with the liberty to the respondents to approach the National Company Law Tribunal for appropriate relief. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

02.11.2023

Index: Yes/No
Speaking order: Yes/No
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<https://www.mhc.tn.gov.in/judis>



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K.KUMARESH BABU, J.

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To

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