



WEB COPY



W.P.Nos.4951, 4953 & 4956 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. Nos.4951, 4953 & 4956 of 2020

M.Raman	... Petitioner in W.P.No.4951/2020
N.Krishnaraju	... Petitioner in W.P.No.4953/2020
R.V.Ramamoorthy	... Petitioner in W.P.No.4956/2020
/vs/	

1. The Chairman / Secretary to Government (Agri)
Pondicherry Marketing Committee,
Chief Secretariat,
Pondicherry.
2. The District Collector,
Office of the Collectorate,
Pondicherry.
3. The Secretary,
Pondicherry Market Committee,
Agriculture Complex,
Thattanchavady, Pondicherry – 9. ... Respondents in all W.P's.

Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to initiate Revenue Recovery in pursuant to the Recovery Certificate issued by the



W.P.Nos.4951, 4953 & 4956 of 2020

Controlling Authority Under the Payment of Gratuity Act, 1972 – cum –
Labour Officer (Enforcement), in GA No.17, 122 & 123 /2018 dated
04.03.2019, 22.07.2019 & 22.07.2019 towards the payment of Gratuity to
be paid to the petitioners, enabling the petitioners to receive the Gratuity
Amount.

For Petitioners ... Mr.B.Balavijayan
(in all W.P's.)

For Respondents ... Mr.Ramaswamy Meyyappan
(in all W.P's.) Government Advocate (Puducherry)

COMMON ORDER

These Writ Petitions have been filed directing the second respondent to initiate Revenue Recovery in pursuant to the Recovery Certificate issued by the Controlling Authority under the Payment of Gratuity Act, 1972 – cum – Labour Officer (Enforcement), in GA No.17, 122 & 123 /2018 dated 04.03.2019, 22.07.2019 & 22.07.2019 towards the payment of Gratuity to be paid to the petitioners, enabling the petitioners to receive the Gratuity Amount.



W.P.Nos.4951, 4953 & 4956 of 2020

2. The petitioners who attained superannuation and retired from service on 30.11.2016, 31.12.2016 & 30.11.2016 respectively were not paid with gratuity till date.

3. The grievance of the petitioners is that even though the controlling authority / Labour Officer has passed an order directing the third respondent to pay the gratuity as how it is worked out in the order, the order was not obeyed. Hence the authority concerned instructed the District Collector, Puducherry to initiate recovery proceedings by considering the gratuity amount ordered to the petitioners as arrears of land revenue. A certificate has also been issued under Section 8 of Payment of Gratuity Act, 1972, by the Controlling Authority / Labour Officer, Puducherry. Even thereafter the second respondent has not taken any steps. Neither the third respondent has chosen to make the payment nor the second respondent has implemented the order of the appropriate authority. Hence, I feel that a direction to be issued to the second respondent to implement the order of Controlling Authority.



W.P.Nos.4951, 4953 & 4956 of 2020

4. Accordingly, these Writ Petitions are allowed by directing the second respondent to implement the Recovery Certificate issued by the Controlling Authority under the Payment of Gratuity Act, 1972 – cum – Labour Officer (Enforcement), in GA No.17, 122 & 123 /2018 dated 04.03.2019, 22.07.2019 & 22.07.2019 towards the payment of Gratuity to be paid to the petitioners, enabling the petitioners to receive the Gratuity Amount, within a period of six weeks from the date of receipt of a copy of this order. No costs.

09.11.2023

Index: Yes / No
Speaking order / Non-speaking order
bkn



W.P.Nos.4951, 4953 & 4956 of 2020

To:

WEB COPY

1. The Chairman / Secretary to Government (Agri)
Pondicherry Marketing Committee,
Chief Secretariat,
Pondicherry.
2. The District Collector,
Office of the Collectorate,
Pondicherry.
3. The Secretary,
Pondicherry Market Committee,
Agriculture Complex,
Thattanchavady, Pondicherry – 9.



WEB COPY



W.P.Nos.4951, 4953 & 4956 of 2020

R.N.MANJULA ,J.

bkn

W.P.Nos. 4951, 4953 & 4956 of 2020

09.11.2023