



W.P.No.10229 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.06.2023

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10229 of 2020

R.Varadarajan

... Petitioner

Vs.

1. The District Collector,
Salem District,
Salem – 636 001

2. The Managing Director,
Tamilnadu State Transport
Corporation (Salem) Ltd.,
12, Ramakrishna Salai,
Salem – 636 007

...Respondents

Writ Petition is filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the 1st respondent to recover a sum of Rs.2,18,038/- being the arrears of gratuity and interest from the 2nd respondent under revenue recovery proceeding as per the certificate dated 03.02.2020 under Section 8 of Payment of Gratuity Act issued by the Assistant Commissioner of Labour, Salem.



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For Petitioner : No appearance

For Respondents : Mr.R.P.Muruganraja
Government Advocate for R1
Mr.R.Babu, Standing Counsel
for TNSTC, Salem for R2

ORDER

The present Writ Petition has been filed for issuance of a Writ of Mandamus directing the 1st respondent to recover a sum of Rs.2,18,038/- being the arrears of gratuity and interest from the 2nd respondent under revenue recovery proceeding as per the certificate dated 03.02.2020 under Section 8 of Payment of Gratuity Act issued by the Assistant Commissioner of Labour, Salem.

2. When the petition is taken up for hearing on 05.06.2023, there is no representation for the petitioner and hence the case was ordered to be listed today, 07.06.2023 under the caption 'for dismissal'. Today, 07.06.2023, though the name of the petitioner is printed in the cause list, there is no representation for the petitioner either in-person or through learned counsel.

3. The learned counsel appearing on behalf of the respondents filed a copy of the calculation memo wherein it is seen that a sum of Rs.3,74,438/- was awarded as gratuity amount on 24.02.2017 and a sum



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of Rs.3,15,710/- was credited through E.C.S., on 23.05.2017 and a sum of Rs.58,728/- was paid through Ch.No.8404458 dated 09.09.2020. Further, a sum of Rs.72,613/- was paid through E.C.S., towards interest for a sum of Rs.3,15,710/- at the rate of 6% on 14.08.2018 for the period between 01.07.2013 to 22.05.2017 and sum of Rs.48,991/- and Rs.42,074/- were paid through Ch.No.840458 dated 09.09.2020 towards interest for sum of Rs.3,15,710/- and Rs.58,728/- at the rate of 4% and 10% respectively. Hence sought to dismiss the petition as nothing survives for adjudication.

Considering the fact that the entire amount has been settled and the same evident through a calculation memo filed by the respondents and that there is no representation for the petitioner either through learned counsel or in-person, nothing survives for adjudication and the present Writ Petition is dismissed. No costs.

07.06.2023

Index : Yes/No
Internet : Yes/No
Speaking order / non speaking order
ssd



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V.BHAVANI SUBBAROYAN, J.,

ssd

To

1. The District Collector,
Salem District,
Salem – 636 001
2. The Managing Director,
Tamilnadu State Transport
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