



W.P.Nos.21220 to 21224, 26229 of 2014,
11794 of 2013, 21490 of 2015 & 29625 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.Nos.21220 to 21224, 26229 of 2014,
11794 of 2013, 21490 of 2015
& 29625 of 2016

W.P.No.21220 of 2014

Amalorpavam Higher Secondary School
rep. by its Correspondent
Lourdes Campus, Vanarapet
Puducherry 605 011.

.. Petitioner

Vs.

1. Union of India
Rep. by the Secretary to Government
Ministry of Law & Justice
New Delhi.
2. The Ministry of Labour and Employment
rep. by the Secretary to Government
Shram Shakti Bhawan
Rafi Marg
New Delhi 110 001.



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3. The Controlling Authority under the
Payment of Gratuity Act, 1972
Office of the Labour Court (Enforcement)
Govt. of Puducherry
Gandhi Nagar, Puducherry 605 005.

4. J.Sreedharan @ Raguraman .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Declaration declaring the Payment of Gratuity (Amendment) Act, 2009 (Act No.47/2009) including the retrospective operation given to it w.e.f. 03.04.1997 as unconstitutional, ultravires, illegal, invalid and would not apply to the petitioner viz. an "Unaided Private Minority School" and the P.G.Case No.5/2014 filed against it based on such amendment before the third respondent as unmaintainable.

For the Petitioners
in all W.Ps.

: Mr.T.P.Manoharan, S.C.
For Mr.K.P.Jotheeswaran

For the Respondents
in all W.Ps.

: Mr.B.Rabu Manohar, CGSC
for Respondents 1 & 2

Mr.S.Raveekumar
Government Pleader (Pondy)
for Respondent-3

Mr.M.A.Abdul Wahab
For M/s.K.V.Subramanian
Associates
for Respondent-4



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order as to costs. Consequently, M.P.Nos.1 to 3 of 2013, 1 and 2 of 2015 and WMP Nos.25654 of 2016 are closed.

(S.V.G., CJ.)

(P.D.A., J.)

20.06.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Secretary to Government
Ministry of Law & Justice
New Delhi.
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKEVALU, J.

(kpl)

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