



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.12.2023

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THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P Nos.6238, 6242, 6246, 6248, 6250, 57, 59, 64, 68 &70 of 2021

WP.No.6238 of 2021

A.Gladwin

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Petitioner

/vs/

1. The Registrar,
Anna University,
Guindy, Chennai - 600032.

2. The Chairman,
Jeppiaar Educational Trust,
Rajiv Gandhi Salai,
Chennai - 600 119.

3. The Principal,
Jeppiaar Engineering College,
Chennai - 600 119.

...

Respondents

Prayer in WP.No.6238 of 2021: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a WRIT OF MANDAMUS directing the 2nd and 3rd respondent to settle the gratuity, due to the Petitioner for the services rendered by him for more than 6 years from July 2, 2012 to March 29, 2019, forthwith together with interest within a time frame to be fixed by this Court.

In all WPs.



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WP.Nos.6238 of 2021 and later

For Petitioner : Mr.A.Ashok kumar for
Mr.C.Prabhakaran

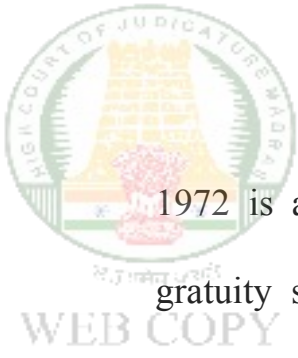
For Respondents : Mr.V.Meenakshi Sundaram
Standing Counsel for Annauniversity
:Mr.Sidharthu for RR2 and 3

COMMON ORDER

The petitioners who are the employee of the 3rd respondents college has filed these writ petitions seeking Writ of MANDAMUS to direct the 2nd and 3rd respondent to settle their gratuity, due to the Petitioners for the services rendered by them.

2.Heard, Mr.A.Ashok Kumar, learned counsel for the petitioner and Mr.V.Meenakshi Sundaram learned Standing Counsel for Anna university for R1 and Mr.Sidharthu learned counsel for the respondents 2 & 3 and perused the materials available on record.

3.Mr.A.Ashok Kumar, learned counsel for the petitioners submitted that all these petitioner were in the employment of the 3rd respondents college and rendered continuous service of not less than 5 years. Since the 3rd respondents college is an educational institution, the provisions of payment of gratuity Act



1972 is applicable to them. Even though there is a statutory liability to pay gratuity so far, the respondent 2 and 3 did not pay the gratuity due to the petitioners.

4. Mr.Sidharthu, learned counsel for the respondents 2 & 3 submitted that the eligibility of the petitioners to get gratuity in the event of completion of 5 years of completed service is not denied. But in view of the financial status of the respondent's college, they are not in a position to release the gratuity and they will be releasing the same if a short time is granted.

5. But the position of the petitioners also has to be seemed sympathetically because they have submitted the Form -1 for getting the gratuity as early as in the year 2020. Despite the respondent's college did not issue Form-L by confirming the admissibility of the petitioners applications. Since the 2nd and 3rd respondents are making delay in complying the statutory obligations caused upon them, I feel it is appropriate to issue directions.



WP.Nos.6238 of 2021 and batch

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6. In the result, these Writ Petitions are **allowed** and the respondents 2 and 3 are directed to consider the applications already submitted by the petitioners and grant Form L within a period of four weeks from the date of receipt of copy of this order and do the needful in this regard. No costs.

20.12.2023

Index : Yes

Internet : Yes/No

jrs



WP.Nos.6238 of 2021 and batch

To

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2. The Chairman,
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R.N.MANJULA,J

jrs

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