



W.P.No.23721 of 2023 etc and batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.Nos.23721, 23727, 23728, 23729, 23735, 23738, 23744, 23745, 23749
and 23750 of 2023**

W.P.No.23721 of 2023

P.Ramaraj

... Petitioner

Vs.

1. The District Collector,
Salem District.

2. The Revenue Tahsildar,
Salem Taluk Office,
Salem.

3. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem – 636 007.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to implement



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the order passed by the 1st respondent the District Collector, Salem District in Na.Ka.e 959645/2023/e4 dated 2.6.2023 which is based on the order passed in P.G.No.179/2021 dated 28.10.2021 on the file of Controlling Authority, Salem under the Payment of Gratuity Act, 1972 and further direct the respondents 1 and 2 herein to collect the amount of Rs.1,90,852/- from the 3rd respondent herein under Revenue Recovery Act and to disburse the same to the petitioner herein.

For Petitioner
(in all W.Ps)

: Mr.N.Sudhagar Nagaraj

For Respondents
(in all W.Ps)

: Mr.M.S.Prem Kumar, GA
for R1 and R2

Mr.K.Raja
for R3

COMMON ORDER

Since the issue involved in the above writ petitions are one and the same they are disposed of by way of this common order.

2. Mr.M.S.Prem Kumar, learned Government Advocate accepts notice for respondents 1 and 2 in respective writ petitions. Mr.K.Raja, accepts notice for the 3rd respondent in respective writ petitions. In view of the



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consent expressed by learned counsel on either side, these writ petitions are taken up for final disposal at the admission stage itself.

3. It is the case of the petitioners that they joined into the services of 3rd respondent transport Corporation as Conductor and they retired from service during the period from 2015 – 2019. At the time of retirement, the 3rd respondent Corporation sanctioned gratuity amount payable to the petitioners. Seeking to sanction the balance gratuity amount along with interest, the petitioners filed several petitions before the Controlling Authority, Salem under the Payment of Gratuity Act, 1972, who in turn passed orders directing the third respondent to sanction the balance gratuity amount along with interest to the petitioners. Aggrieved over the said orders, the 3rd respondent in respective writ petitions preferred appeals on the file of Additional Commissioner of Labour (Incharge), Coimbatore, which confirmed the order passed by the Controlling Authority, Salem and dismissed the appeal filed by the 3rd respondent. Thereafter, the 1st respondent in respective writ petitions directed the 2nd respondent to take



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steps under Section 5 of the Revenue Recovery Act, 1890 to collect the balance gratuity amount of the petitioners from the third respondent. Since the same was not considered the above writ petitions have been filed seeking the aforesaid relief.

4. Though very many grounds have been raised by the learned counsel appearing for the petitioners, it would suffice if this Court issues a direction to the 2nd respondent to implement the proceedings of the 1st respondent in respective writ petitions within the time frame that may be stipulated by this Court.

5. On the above contentions heard learned counsel appearing for respective respondents and perused the materials placed on record.

6. Considering the facts and circumstances of the case this Court without going into the merits of the case directs the 2nd respondent to implement the proceedings of the 1st respondent dated 02.06.2023,



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19.04.2023 and 19.11.2021 in respective writ petitions, if there is no legal impediment within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. With the above directions, these writ petitions are disposed of. No costs.

11.08.2023

(rap)

NCC: Yes / No

Index : Yes / No

Speaking Order : Yes / No



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M.DHANDAPANI,J.

rap

To

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Salem District.
2. The Revenue Tahsildar,
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