



W.A.(MD) No.474 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD) No.474 of 2023
and
C.M.P(MD) No.4876 of 2023**

- 1.The Chancellor,
Kalasalingam Academy of
Research and Education,
(Deemed to be University),
Anand Nagar, Krishnakovil – 626 126,
Srivilliputhur Via,
Virudhunagar District.
- 2.The Vice Chancellor,
Kalasalingam Academy of
Research and Education,
(Deemed to be University),
Anand Nagar, Krishnakovil – 626 126,
Srivilliputhur Via,
Virudhunagar District.
- 3.Kalasalingam Academy of
Research and Education,
(Deemed to be University),



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Rep. by its Registrar,
Anand Nagar, Krishnakovil – 626 126,
Srivilliputhur Via,
Virudhunagar District.

... Appellants

-VS-

1. N. Suresh Kumar

... 1st Respondent/
Writ Petitioner

2. The Chairman,
The University Grants Commission,
Bahadur Shah Zafar Marg, New Delhi.

3. The Chairman,
All India Council For Technical Education (AICTE),
Nelson Mandela Marg, New Delhi.

4. The Secretary,
Department of Higher Education,
Government of Tamil Nadu,
Office of Director of Collegiate Education,
Chennai.

... Respondents 2 to 4/
Respondents 1 to 3

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order,
dated 30.08.2022, passed in W.P.(MD) No.19824 of 2022, on the file of this
Court.



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For Appellants : Mr.C.K.Chandrasekaran

For Respondents : Mr.M.Thirunavukkarasu for R1
Mr.N.Dilip Kumar for R3
Mr.D.Sadiq Raja
Additional Government Pleader for R4

J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The appeal is directed against the order of the Writ Court dated 30.08.2022, directing the employer to quantify the gratuity payable to the petitioner and pay the same within a period of thirty (30) days.

2. Heard Mr.C.K.Chandrasekaran, learned counsel appearing for the appellants; Mr.M.Thirunavukkarasu, learned counsel appearing for the first respondent; Mr.N.Dilip Kumar, learned counsel appearing for the third respondent and Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for the fourth respondent.

3. Mr.C.K.Chandrasekaran, learned counsel appearing for the appellants is aggrieved by a direction of the Writ Court to pay the gratuity within



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a period of thirty (30) days. He would contend that if the first respondent is to raise the dispute on the quantification, then the University be in trouble.

4. We make it clear that the employer shall quantify the gratuity payable to the petitioner and pay the same within a period of sixty (60) days from today. If the appellants are aggrieved by such quantification, it is open to them to approach the authority under the Payment of Gratuity Act, 1972.

5. This writ appeal is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.] [L.V.G., J.]

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NCC : No
Index : No
Internet : Yes
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