



W.P.(MD).Nos.2699 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.2699 of 2023

and

W.M.P.(MD).No.2456 of 2023

The Managing Director,
TNSTC, (Kumbakonam) Limited,
27, Railway Station Road,
Kumbakonam 612 001.

... Petitioner

Vs.

1.The Assistant Commissioner of Labour,
Madurai.

2.P.Arumugam

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the entire records pertaining to the impugned order passed in P.G.No.124 of 2018, by the first respondent dated 10.03.2020 and quash the same.



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For Petitioner : Mr.P.M.Vishnuvarthanan
For R1 : Mr.S.P.Maharajan
Special Government Pleader
For R2 : Mr.S.Arunachalam

ORDER

The petitioner Management filed this writ petition challenging the order of Gratuity Authority, dated 10.03.2020, in respect of awarding 10 % interest in favour of the workman/the second respondent.

2. The learned counsel appearing for the petitioner Management would submit that without interfering with the quantum of amount, this Court may issue a direction to the petitioner Management to pay the gratuity amount with 8.5 % interest.

3. The learned counsel appearing for the respondent employee has no objection for receiving the gratuity amount with 8.5% interest as suggested by the petitioner Management.



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4. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent.

5. In view of the consent view expressed by the learned counsel for the petitioner Management and the learned counsel appearing for the respondent employee, this Court is inclined to modify the interest from 10% to 8.5% alone. Accordingly, the petitioner Management is directed to settle the entire benefits to the second respondent employee as ordered by the Gratuity Authority/the first respondent with 8.5% interest, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

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M.DHANDAPANI,J.

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To

The Assistant Commissioner of Labour,
Madurai.

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