



W.P.(MD)No.5238 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.5238 of 2020

and

W.M.P(MD)Nos.4572 and 4573 of 2020

1.The Block Development Officer
(Village Panchayat)
Kuzhithalai Union,
Kuzhithalai,
Karur District.

2.Vaigai Nallur Village Panchayat,
Rep by the Village Secretary,
Vaigai Nallur,
Kuzhithalai Taluk,
Karur District.

... Petitioners

Vs.

1.The Controlling Authority/The Deputy
Commissioner of Labour,
Dindigul District.

2.Karuppu

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, calling for the records of the 1st respondent in his impugned proceeding in case No.P.G.102 of 2018,



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dated 08.02.2019 and quash the same as it is illegal and in violation of the principles of natural justice.

For Petitioner : Mr.R.Sethuraman
For R1 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned proceedings of the first respondent, dated 08.02.2019 and to quash the same.

2. The learned counsel appearing for the petitioners would submit that the second respondent has made an application before the first respondent under Section 7 of the Payment of Gratuity Act in P.G.No.102 of 2018. The first respondent vide order dated 15.02.2019, allowed the application filed by the second respondent. Challenging the same, the present writ petition has been filed.



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3. The learned Additional Government Pleader appearing for the first respondent would submit that as against the order passed by the first respondent, there is an effective alternative remedy available before the appellate authority. Hence, this Court may grant liberty to the petitioners to file appropriate appeal before the appellate authority in terms of Section 18 of the Payment of Gratuity Act.

4. In view of the above, this Writ Petition is disposed of, giving liberty to the petitioners to file an appeal before the appellate authority in terms of Section 18 of the Payment of Gratuity Act. No costs. Consequently, the connected Miscellaneous Petitions are closed.

02.01.2023

Index : Yes / No

Speaking Order : Yes / No

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To

The Controlling Authority/The Deputy
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M.DHANDAPANI,J.

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