



W.P.(MD)No.13563 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:02.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.13563 of 2020

V.Kaliamurthy

... Petitioner

Vs.

1.The District Collector,
Thanjavur District.

2.The Managing Director,
Z.426, Ammapettai Silk Handloom Weaver's
Co-operative Production and Sales Society,
Ammapettai-614401,
Thanjavur District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to settle the petitioner gratuity amount payable as per the order of the Controlling Authority dated 30.09.2019 within stipulated time.



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For Petitioner : Mr.T.A.Ebenezer

For Respondents : Mr.A.Baskaran
Additional Government Pleader
for R1
Mr.N.Shanmuga Selvam for R2

ORDER

This Writ Petition has been filed to direct the second respondent to settle the gratuity amount of the petitioner as per the order of the Controlling Authority dated 30.09.2019, within a stipulated time fixed by this Court.

2. The case of the petitioner is that the petitioner was working as Manager in the respondent Co-operative Society from the year 1991 and he retired from service on 30.04.2018. However, the gratuity amount was not paid to the petitioner. Hence, he has approached the Controlling Authority under the Payment of Gratuity Act. After conducting detailed enquiry on both sides, the Controlling Authority has passed an order

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directing the second respondent to pay a sum of Rs.2,62,845/- (Rupees Two Lakhs Sixty Two Thousand Eight Hundred and Forty Five only) with interest of 10%. However, the said order has not been implemented till date. Hence, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the second respondent to implement the order of the Controlling Authority dated 30.09.2019 within a specified period fixed by this Court.

4. The learned counsel appearing for the second respondent would submit that the petitioner has passed away.

5. In view of the submission made by the learned counsel appearing for the second respondent, this Writ Petition is dismissed as abated. However, the second respondent is directed to implement the order passed by the Controlling Authority dated 30.09.2019, within a period of eight weeks from the date of receipt of a copy of this order and



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extend the benefit to the legal heirs of the petitioner, if there is no legal
impediment. No costs.

02.02.2023

ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To

1.The District Collector,
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M.DHANDAPANI,J.

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