



W.P(MD)No.16815 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16815 of 2020

C.Chandrasekaran

... Petitioner

Vs.

1.The District Collector,
Collectorate, Madurai,
Madurai District.

2.Shree Mahalakshmi Textiles Ltd.,
Rep. by its Proprietor,
No.109, Karur Main Road,
K.Meenakshipuram (Post),
Dharapuram-638 673,
Dharapuram,
Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to provide interest at the rate of 10 percentage per annum for the belated payment of gratuity with effect from 10.03.1972 to 14.10.1996 within the time stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.G.Suriyananth,
Addl. Government Pleader for R1.
No appearance for R2.

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the first respondent. The second respondent has been served and their name is printed in the cause list but there is not appearance on their behalf.

2.The petitioner had earlier filed W.P.(MD)No.6520 of 2016 and the same was disposed of by me on 12.02.2018. When Sub.Appl(MD)No.148 of 2019 in Cont.P.(MD)No.2015 of 2018 was filed, it was disposed of on the following terms:-

“The promoters family has come forward to settle the gratuity claim of the petitioner herein. It is made clear that this will not be cited as a precedent nor will it amount to any acceptance of any personal liability on the part of the person who is handing over the demand draft to the learned counsel for the petitioner.



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2.This Sub Application is closed. It is made clear that the petitioner accepts the said Demand Draft towards the full and final settlement of all his claims against the employer.”

3.Having accepted what was paid to him towards full and final settlement of all his claims against the employer, it is not open to the petitioner to file one more writ petition for payment of interest. The writ petition stands dismissed. No costs.

13.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

The District Collector,
Collectorate, Madurai,
Madurai District.



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G.R.SWAMINATHAN, J.

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