



W.P.(MD).Nos.20768 & 20795 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).Nos.20768 & 20795 of 2018

and

W.M.P(MD)Nos.18528 & 18562 of 2018

W.P(MD)No.20768 of 2018:

The Assistant Commissioner/Executive Officer,
Arulmigu Mariamman Temple,
Irukkangudi, Virudhunagar District.

... Petitioner

Vs.

1.The Joint Commissioner of Labour/Controlling
Authority under Payment of Gratuity Act 1972,
Madurai.

2.The Assistant Commissioner of Labour/Controlling
Authority under Payment of Gratuity Act 1972,
Tirunelveli.

3.S.Kandasamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to take on file the appeal filed by the petitioner against the orders passed in



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P.G.No.2 of 2011 dated 25.11.2016 by the 2nd respondent and dispose the same on merits and in accordance with law.

W.P(MD)No.20795 of 2018:

The Assistant Commissioner/Executive Officer,
Arulmigu Mariamman Temple,
Irukkangudi, Virudhunagar District.

... Petitioner

Vs.

1.The Joint Commissioner of Labour/Controlling
Authority under Payment of Gratuity Act 1972,
Madurai.

2.The Assistant Commissioner of Labour/Controlling
Authority under Payment of Gratuity Act 1972,
Tirunelveli.

3.K.Sivalingam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to take on file the appeal filed by the petitioner against the orders passed in P.G.No.3 of 2011 dated 25.11.2016 by the 2nd respondent and dispose the same on merits and in accordance with law.

For Petitioner : Mr.S.Manohar
(In both cases)

For R1 & R2 : Mr.N.Muthuvijayan
Special Government Pleader
(In both cases)



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For R3

: Mr.F.X.Eugene
(In both cases)

COMMON ORDER

Both the writ petitions have been filed to number the appeal filed by the petitioner.

2. The learned counsel appearing for the petitioner submitted that the petitioner could not deposit the amount, which was ordered by the original authority, since there was a delay in getting the amount from the higher officials. Now, the amount has been deposited to the 3rd respondent and he has also withdrawn the same. Therefore, this Court is directing the 1st respondent to number the appeal.

3. With this direction, both the writ petitions stand allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

27.01.2023

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

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S.SRIMATHY, J.

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