



WEB COPY



W.P.No.5

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.03.2024

Coram:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.No.5691 of 2024

S.Sivaraman

...Petitioner

Vs.

1. The District Collector,
Collectorate,
Chennai.

2.The Commissioner of Labour,
Teynampet,
Chennai-600 006.

3.The Joint Commissioner of Labour,
Office of the Joint Commissioner of Labour,
Coimbatore-18.

4.The Deputy Commissioner of Labour (Gratuity),
Office of the Joint Commissioner of Labour,
Coimbatore-18.

5.The Management,
M/s. PLR Textiles Limited,
Rep. by its Vice Chairman-cum-Managing Director,
Mr.P.R.Prabakar,
S/o. P.L.Rangaiah Chettiar,
No.49, 4th Street, Abhiramapuram,
Chennai-600 018.

...Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the 1st Respondent to recover the gratuity amount of Rs.76,125/- (Rupees Seventy Six Thousand One Hundred and Twenty Five Rupees only) with 10% interest from 15.05.2002 and with 15% compound interest from 01.08.2004 in the pursuant of the 4th respondent by an order vide G.A.No.14/2004 dated 22.06.2004 under the Sec.4 of Revenue Recovery Act, 1890 from the 5th respondent and handover the amount to the petitioner.

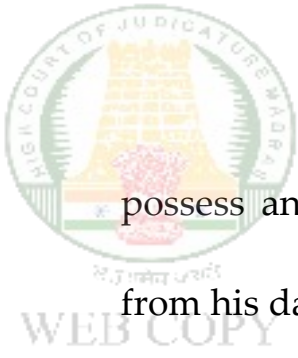
For Petitioner : Mr.P.Saravanan
For Respondents : Mr.P.Sanjaygandhi, Government Advocate
for RR1 to 4

Mr. Gautam S. Raman
for R5, to file Vakalat

ORDER

Writ petition is filed for a Writ of Mandamus directing the 1st Respondent to recover from the 5th respondent the gratuity amount of Rs.76,125/- with 10% interest from 15.05.2002 and with 15% compound interest from 01.08.2004 in the pursuance of the 4th respondent's order dated 22.06.2004.

2. On notice, 5th respondent appeared through counsel who submitted that the 5th respondent was suffering from advanced dementia, that he did not



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possess any movable or immovable assets and that he would get instruction from his daughters on the payment to the petitioner. The learned counsel for the petitioner submitted that the Gratuity payable to the petitioner was Rs.10,00,000/-. The learned counsel for the 5th respondent sought short adjournment for getting instructions. The learned counsel for the 5th respondent on instructions submitted that his client was willing to pay Rs.4,16,000/- in full quit of the claim of the petitioner towards Gratuity. When the matter was taken up for hearing today, the petitioner's counsel in the presence of the petitioner agreed to same.

3. The learned counsel for the 5th respondent has produced two Demand Draft's in favour of the petitioner drawn on Canara Bank in D.D. Nos.708322 and 708331, for an amount of Rs.2,66,000/- and Rs.1,34,000/- respectively. The Learned counsel submits that balance amount of Rs.16,000/- will be paid to the petitioner within a period of 10 days from today.



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4. In the light of the above facts, the writ petition is disposed of with a direction to the 5th respondent to pay the balance amount of Rs.16,000/- within 10 days from today.

Accordingly writ petition is disposed of. No costs.

28.03.2024

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