



WEB COPY



WP.No.6968 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.04.2024

CORAM:

THE HON'BLE DR JUSTICE D.NAGARJUN

WP.No.6968 of 2024

R.Muthuramalingam

...Petitioner

Versus

1.The District Collector,
O/o. District Collectorate
Tiruppur District.

2.The Tahsildar,
O/o.Udumalaipettai Taluk,
Udumalaipettai – 642 126.

3.Thiru.G.Ravindran

...Respondents

Prayer: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of Mandamus to issue suitable directions to the respondent Nos.1 & 2 to implement the directions issued by the Deputy Commissioner of Labour/Joint Commissioner of Labour Coimbatore in Certificate RR.No.1 of 2024 dated 30.01.2024 and recover the said amount along with interest from the 3rd respondent under the RR Act.

For Petitioner

:

Mr.D.Bharathy



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For Respondents : Mr.RU.Dinesh Raj Kumar
Additional Government
Pleader – R1 & R2.
: No Appearance - R3

ORDER

This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of Mandamus to issue suitable directions to the respondent Nos.1 & 2 to implement the directions issued by the Deputy Commissioner of Labour/Joint Commissioner of Labour Coimbatore in Certificate RR.No.1 of 2024 dated 30.01.2024 and recover the said amount along with interest from the 3rd respondent under the RR Act.

2. The petitioner filed GA.No.509 of 2021 under Payment of Gratuity Act, 1972 (in short “PG Act”) and the same was allowed by order dated 26.04.2023 with a direction to the 3rd respondent to deposit a sum of Rs.4,68,372/-. The petitioner has submitted a representation on 04.08.2023 to the Deputy Commissioner of Labour/Joint Commissioner of Labour Coimbatore who has issued certificate on 30.01.2024 in RR.No.1 of 2024 to the 1st respondent which was duly received by the 1st respondent however no proceedings have been initiated by the 1st respondent so far.



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3. The petitioner sent a representation on 10.02.2024 to the 1st respondent to implement the directions issued in GA.No.509 of 2021, stating that even after lapse of 3 years, recovery proceedings have not been initiated by the 1st respondent. As there was no response, this writ petition is filed to direct the respondent Nos. 1 & 2 to implement the directions issued in Certificate RR.No.1 of 2024 issued on 30.01.2024 for recovery of the said amount along with interest from the 3rd respondent.

4. Heard learned counsel for the petitioner and learned Additional Government Pleader for R1 and R2 and there is no appearance of R3.

5. The petitioner is seeking for issuance of Mandamus directing the first respondent and second respondent to initiate the proceedings to recover of money due, under payment of Gratuity Act. As seen from the records, even after lapse of 3 years, respondent Nos.1 and 2 have not taken any steps for recovery of the gratuity.

6. Considering the submissions of the both sides and on perusal of all the available materials on record, this writ petition stands disposed of directing the respondent Nos.1 and 2 to implement the directions issued by the Deputy Commissioner of Labour/Joint Commissioner of Labour Coimbatore in Certificate RR.No.1 of 2024 dated 30.01.2024 and recover the amount of Rs.4,68,372/- to be paid from the 3rd respondent in favour



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of the petitioner, under Section 5 of the Revenue Recovery Act, 1890
within a period of four (8) weeks from the date of receipt of copy of this
order. There shall be no order as to costs.

18.04.2024

Index :Yes/No
Speaking :Yes/No
Neutral Citation Case:Yes/No

nst

To:

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DR D.NAGARJUN,J.

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