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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.Nos.30069, 30070 and 30072 of 2014
and M.P.Nos.1 to 1 of 2014

The Management,
Tamil Nadu Agricultural University,
Horticultural Research Station,
Ondikadai Post,
Yercaud - 636 601
Salem District.

...

Petitioner
[in all W.Ps]

versus

1.The Appellate Authority
under the Payment of Gratuity Act and
The Joint Commissioner of Labour,
Coimbatore - 18.

2.The Controlling Authority
under the Payment of Gratuity Act and
the Assistant Commissioner of Labour,
Salem.

...

Respondents
[in all W.Ps]

3.Periya Vellai

...

Respondent
[W.P.No.30069 of 2014]

3.Panchali

...

Respondent
[W.P.No.30070 of 2014]



3.Sivagami

...

Respondent
[W.P.No.30072 of 2014]

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the order Nos.A4/1067/2013, A4/3994/2014 and A4/1066/2013 dated 16.10.2014 of the second respondent read with the orders dated 05.08.2014 in A.G.A. Nos.101 of 2013, 102 of 2013 and 103 of 2013 passed by the first respondent confirming the order dated 19.11.2012 in PG.Case. Nos.30/2011, 31/2011 and 32/2011 issued by the second respondent and quash the same respectively.

For Petitioner	:	Mr.S.Manikandan
[in all W.Ps]		
For Respondent Nos.1 & 2	:	Mrs.M.Jayanthy
[in all W.Ps]		Additional Government Pleader
For Respondent No.3	:	M/s.C.S.Monica
[in all W.Ps]		

COMMON ORDER

These writ petitions have been filed in the year 2014 challenging the orders of the second respondent made in Nos.A4/1067/2013, A4/3994/2014 and A4/1066/2013 dated 16.10.2014 in a claim for gratuity made by the respective third respondents, who are the employees of the petitioner's University.



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2. Heard Mr.S.Manikandan, learned counsel for the petitioner, Mrs.M.Jayanthi, learned Additional Government Pleader for the respondents 1 and 2 and M/s.C.S.Monica, learned counsel for the respective third respondents and perused the materials available on record.

3. The orders came to be passed in favour of the respective third respondents and it got confirmed even before the appellate authority. It appears that the gratuity amount so awarded has already been remitted even before these writ petitions have been filed by the petitioner's University and the respective third respondents have realised that amount as well.

4. The contentious point raised in these writ petitions is that the respective third respondents are engaged under scheme and hence, they are only scheme workers and not the direct employees of the petitioner's University. Since the respective third respondents have realised the amount already deposited, the petitioner feels not to precipitate the matter further.



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5. Recording the above submission made by the learned counsel for the petitioner, these Writ Petitions are allowed to be dismissed as not pressed, by leaving the contentious points open.

6. Accordingly these Writ Petitions are **dismissed as not pressed**.

No costs. Consequently, connected Miscellaneous Petitions are closed.

19.09.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

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R.N.MANJULA, J.

sri

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