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W.P. No.19785 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.19785 of 2024
and
W.M.P.No.s21667 & 21668 of 2024

Annamalai University,
Rep. by its Registrar,
Annamalai Nagar,
Chidambaram – 608 002
Cuddalore.

... Petitioner

Vs.

1.The Additional Commissioner of Labour,
Chennai.

2.The Deputy Commissioner of Labour,
Joint Commissioner of Labour-II Office,
Chennai.

3.V.Senthilnathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari to call for the records pertaining to the order of the 1st respondent made in P.G.A.No.7 of 2023 etc., batch dated 22.09.2023 and quash the same as illegal.



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For Petitioner : Mr.Sithirai Anandam

For R1 & R2 : Mr.R.U.Dinesh Rajkumar

ORDER

When the matter is taken up for consideration, the learned counsel appearing for the petitioner submitted that under similar circumstances, this Court disposed of writ petition in W.P.No.15880 of 2024 by an order dated 20.06.2024 and in terms of the said order, and further submitted that in case if the audit objection which is the reason for non payment of balance gratuity is not resolved within a period of twelve (12) weeks from today, the respondents will not come in the way of 3rd respondent for withdrawing 50% of gratuity amount deposited with the controlling authority and requested to pass similar orders under in this matter.

2. In the light of the above and for the reasons assigned in the order dated 20.06.2024 in W.P.No.15880 of 2024, this writ petition is also disposed of staying operation of the impugned order for a period of twelve (12) weeks and in case, if audit objection in question is not resolved within the said period of 12 weeks, the 3rd respondent is at liberty to withdraw the



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50% gratuity which was already deposited with the controlling authority and the petitioner herein shall not have any objection for said withdrawal by the 3rd respondent. In such an event, the controlling authority shall disburse the gratuity amount in deposit together with interest accrued if any, in favour of the respondent No.3.

3. Accordingly, the writ petition is disposed of. The connected miscellaneous petitions, if any shall stand closed. No costs.

19.07.2024

Index : Yes/No
Speaking Order : Yes/No

dpa

To:

- 1.The Additional Commissioner of Labour,
Chennai.
- 2.The Deputy Commissioner of Labour,
Joint Commissioner of Labour-II Office,
Chennai.

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MUMMINENI SUDHEER KUMAR,J.

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