



W.P.(MD) No.12331 of 2008

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.12331 of 2008
and W.M.P.(MD) No.1 of 2008**

Madurai Ramnad District National Textile
Workers Union bearing Regn. No.589,
through its Secretary R.Ramanathan,
6/15, Ramanagar Padasalai 3rd Street,
Karimedu,
Madurai – 625 016.

... Petitioner

-VS-

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Assistant Commissioner of Labour Cum
the Controlling Authority Under the Payment of Gratuity Act,
Madurai – 20.
- 3.The Management,
M/s. Rukmani Mills,
Silaiman,
Madurai – 625 201.



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4.The Assistant General Manager Cum Authorised Officer,
State Bank of India,
157-A, Anna Salai,
Chennai – 600 002.

5.Saravanan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the 4th respondent from proceeding against any of the assets of the 3rd respondent or appropriating the sale proceeds pursuant to the auction sale dated 23.12.2008 till such time the dues of the employees of the 3rd respondent under the payment of Gratuity Act are recovered by the 1st respondent by invoking the provisions of Revenue Recovery Act.

For Petitioner : Mr.V.Balaji

For Respondents : Mr.S.P.Maharajan,
Special Government Pleader for R1 and R2

No appearance for R3 to R5

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The Writ Petition has been filed for issuance of a Writ of Mandamus, forbearing the 4th respondent from proceeding against any of the assets of the 3rd respondent or appropriating the sale proceeds pursuant to the auction sale dated



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23.12.2008 till such time the dues of the employees of the 3rd respondent under the payment of Gratuity Act are recovered by the 1st respondent by invoking the provisions of Revenue Recovery Act.

2. In the light of the order passed by this Court on 04.01.2024 in W.P. (MD) No.7612 of 2008, wherein this Court has recorded that pursuant to the filing of the Writ Petitions, the property was brought for public auction and the same was sold, the prayer as sought for has become infructuous. Hence, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K., J.] [R.V., J.]
04.01.2024

Index : Yes / No
Internet : Yes / No
SJ

To

1.The District Collector,
Sivagangai District,
Sivagangai.



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SJ

2.The Assistant Commissioner of Labour Cum
the Controlling Authority Under the Payment of Gratuity Act,
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