



W.P.(MD)No.6688 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.6688 of 2024

M.S.Srinivasan

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Collector Office Building,
Sivagangai.
- 2.The Tahsildar,
Taluk Office,
Manamadurai.
- 3.The Controlling Authority,
Under Payment of Gratuity Act,
Bharathi Ula Street,
Near Lotus Tank,
Madurai – 625 002.
- 4.The Management,
R.S.857, Manamadurai Town,
Co-operative Credit Society,
(67-A, Gundurayar Street),
Now Mukundaraja Ayyangar Compound,
Bahampathu Agraharam
Manamadurai,
Sivagangai District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to recover the amount of Rs.9,45,241/- with interest of 10% from 31.05.2016, as mentioned in the certificate in Na.Ka.No.A8/5360/2017, dated 29.11.2017, from the fourth respondent.

For Petitioner : Mr.T.Ravichandran

For R-1 and R-2 : Mr.J.Ashok
Additional Government Pleader

ORDER

Heard Mr.T.Ravichandran, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader for the respondents 1 and 2.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, seeking direction against the first respondent to recover the amount of Rs.9,45,241/- with interest of 10% from 31.05.2016, as mentioned in the certificate in Na.Ka.No.A8/5360/2017, dated 29.11.2017, from the fourth respondent.

3. Mr.T.Ravichandran, learned counsel for the petitioner submitted that the petitioner who was working in the fourth respondent Society has retired



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from service on 30.04.2016 due to superannuation. The petitioner has submitted that the terminal benefits have not been settled so far. The third respondent/Controlling Authority Under the Payment of Gratuity is said to have issued an order dated 18.07.2017 directing the fourth respondent to pay a sum of Rs.9,45,241/- toward gratuity with 10% interest from 31.05.2016. Since the fourth respondent has not implemented the order, the petitioner has come before this Court by way of filing this Writ Petition.

4. Since the fourth respondent is not complying the direction of the third respondent and not allowing the petitioner to enjoy his rightful entitlement, the first respondent has an obligation to recover the said amount in the manner known to law and disburse the same to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is **disposed of**. No costs.

03.04.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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R.N.MANJULA, J.

Nsr

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