



W.P(MD)Nos.16395 to 16399 and 16401 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2024

CORAM :

**THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY**

W.P(MD)Nos.16395 to 16399 & 16401 of 2018

and

W.M.P.(MD)Nos.14560 to 14564 & 14566 of 2018

W.P.(MD)No.16395 of 2018

The Management of Geethanjaly Mills Ltd.,  
Sri Gomathipuram Post,  
Sankarankoil, Tirunelveli District,  
Rep. by its Managing Director,  
P.R.Ramasubramania Raja

... Petitioner

Vs.

1.The Controlling Authority,  
Under Payment of Gratuity Act, 1972,  
(Assistant Commissioner of Labour),  
Tirunelveli.

2.S.Vijayalakshmi

3.The Management of Sterling Yarns,  
353, Ambalapuli Bazaar, Rajapalayam.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the 1<sup>st</sup> respondent in his order dated 25.06.2018 made in P.G. (MD)No.5/2015 in P.G.(I.A).No.29/2013 whereby confirming his earlier order dated 24.06.2016 and quash the same and consequently, to direct the 1<sup>st</sup>



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respondent herein to condone the delay in filing the petition to set aside the *ex-parte* order dated 24.06.2016 and decide the matter on merits and in accordance with law.

For Petitioner : No Appearance  
For R1 : No Appearance  
For R2 : Mr.G.R.Sathish  
(in all W.Ps.)

### **COMMON ORDER**

When the matter is taken up for hearing on 25.11.2024, none appeared for the petitioner in all these Writ Petitions. Therefore, the matter was directed to be listed today (27.11.2024) under the caption 'for dismissal'.

2.Today also, when the matter is taken up for hearing, there is no representation on the side of the petitioner.

3.The learned counsel appearing for the 2<sup>nd</sup> respondent would submit that when the matter was called before the 1<sup>st</sup> respondent, the petitioner was not present. Therefore, ex-parte order has been passed. Challenging the same, the petitioner has filed these Writ Petitions. However, before this Court also, the petitioner is not present.



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4.Considering the fact that since the petitioner had not appeared before the 1<sup>st</sup> respondent, an ex-parte order had been passed and challenging the same, though these Writ Petitions are filed, before this Court also, the petitioner is not present, this Court is of the view that the petitioner is not interested in pursuing the matter. Therefore, this Court has no other option except to dismiss these Writ Petitions. Accordingly, these Writ Petitions are dismissed for non-prosecution. It is made clear that in the event if any application is filed by the petitioner for setting aside this order, the same shall be entertained only on condition that the petitioner shall pay a sum of Rs.50,000/- (Rupees Fifty Thousand Only) in each Writ Petition. No costs. Consequently, connected miscellaneous petitions are closed.

**27.11.2024**

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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**KRISHNAN RAMASAMY, J**

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