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W.P.No.3544 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3544 of 2025

S.Jaya Soman Samuel

... Petitioner

Vs.

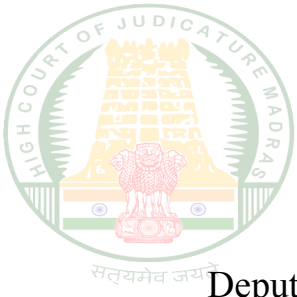
1. The District Collector,
Tiruvannamalai District,
Tiruvannamalai.

2.The Tahsildar,
Vembakkam Taluk,
Tiruvannamalai District.

3.The Management,
M/s.Saragam Metals Private Limited,
No.7A, SIPCOT Industrial Park,
Chella Perumal Pulimedu,
Cheyyar, Tiruvannamalai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to recover the award amount of Rs.4,38,173/- (Rupees Four Lakhs Thirty Eight Thousand One Hundred and Seventy Three only) 15% compound interest from the third respondent as per the order of the



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Deputy Commissioner of Labour, Vellore, (Authority under Payment of Gratuity Act, 1972) by passing orders on the representation dated 30.09.2024.

For Petitioner : Mr.G.Justin

For R1 and R2 : Mr.M.Bindvan
Additional Government Pleader

O R D E R

This Writ Petition has been filed to direct the respondents 1 and 2 to recover the award amount of Rs.4,38,173/- (Rupees Four Lakhs Thirty Eight Thousand One Hundred and Seventy Three only) with 15% compound interest from the third respondent, as per the order of the Deputy Commissioner of Labour, Vellore, (Authority under Payment of Gratuity Act, 1972) by considering the representation of the petitioner dated 30.09.2024.

2. The case of the petitioner is that the petitioner joined in the third respondent Management on 14.04.1988 as Assistant Accountant and retired on 30.04.2019, however, the third respondent Management did not pay the gratuity for his 31 years service and therefore, the petitioner has filed a



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petition in P.G.No.99 of 2022 before the Deputy Commissioner of Labour, Vellore, for recovery of gratuity under the Payment of Gratuity Act, 1972 and on 16.08.2022, the Deputy Commissioner of Labour, has allowed the petition directing the third respondent Management to pay a sum of Rs.4,38,173/- with 10% simple interest, however, the said order was not complied with and therefore, the petitioner again approached the Labour Commissioner, based on which, the Deputy Commissioner of Labour directed the first respondent to recover the said amount from the third respondent with 15% compound interest. The first respondent directed the second respondent to recover the said amount from the third respondent with 15% compound interest, however, the second respondent did not take any steps to recover the said amount and therefore, the petitioner made a representation dated 30.09.2024 to the first and second respondents to implement the award passed by the Deputy Commissioner of Labour, however, the same has not been considered so far. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit



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that it would suffice, if the respondents 1 and 2 are directed to implement the award passed by the Deputy Commissioner of Labour, Vellore, in P.G.No.99 of 2022 on 16.08.2022.

4. The learned Additional Government Pleader appearing for the respondents 1 and 2 have no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondents 1 and 2 to implement the order passed by the Deputy Commissioner of Labour, Vellore, in P.G.No.99 of 2022 on 16.08.2022, by considering the representation of the petitioner, dated 30.09.2024 within a period of eight weeks from the date of receipt of a copy of this order, if there is no legal impediment.

6. With the above direction, this Writ Petition is disposed of. No



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costs.
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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To

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M.DHANDAPANI, J.

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