



W.P.No. 4928 of 2020

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

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1. V. Ganesan
- 2.K.Sugumar
3. G.Ramamoorthy
4. N.Poovathai
- 5.V.Velayudham
- 6.N.Alagirisamy
- 7.G.Gandiban
- 8.M.Seenuvasan
- 9.T.Bakthavachalu
- 10.R.Selvaraj
11. K.Jayaraman
- 12.S.Shanmugam
- 13.S. Munusamy
14. D.Radhakrishnan
15. T.Aiyyasamy

.. Petitioners

Versus

The General Manager (Administration)
Gratuity Trust Fund
Tamil Nadu Civil Supply Corporation Ltd.,
Head Office, Kilpauk, Chennai - 10

...Respondent

Prayer: This petition is filed under article 226 of the constitution of India to issue a Writ of Declaration declaring the action of the respondent denying the interest on belated payment of gratuity as per the



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communication of the respondent served on the petitioners individually by order dated 10.11.2019 bearing Ref.No.Na.Ka.No.AGR3/67287/2013 as being illegal and unreasonable and consequently direct the respondent to disburse the interest at the rate of 12% per annum from the date on which the petitioners are retired from service till date of disbursement and pass orders.

For Petitioner : Mr.T. Sai Krishnan

For Respondents : Mr.K.Thirugnanam,
Standing Counsel

ORDER

This petition is filed to issue a Writ of Declaration declaring the action of the respondent denying the interest on belated payment of gratuity as per the communication of the respondent served on the petitioners individually by order dated 10.11.2019 bearing Ref.No.Na.Ka.No.AGR3/67287/2013 as being illegal and unreasonable and consequently direct the respondent to disburse the interest at the rate of 12% per annum from the date on which the petitioners are retired from service till date of disbursement and pass orders.

2. The learned counsel for the petitioner submitted that this Court vide order dated 16.12.2024 referred the matter to the mediation centre



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and as per the direction of this Court, both the parties appeared before the mediation centre and the matter has been settled.

3. Settlement Agreement entered between the parties on 08.01.2025 is as follows:

1. Disputes and differences had arisen between the parties hereto and a writ petition came to be filed challenging the order dated 10.01.2019 bearing Ref.no.AGR3/67287/2013 passed by the respondent thereby rejecting the representation of the petitioners herein claiming interest for the belated payment of gratuity amount made by the respondent.

2. The matter was referred to mediation vide order dated 16.12.2024 passed by the Hon'ble High Court, Madras.

3. The parties agreed that Mr.J.Naresh Kumar would act as their Mediator.

4. Several meetings were held during the process of mediation from 19.12.2024 to 08.01.2025 and the parties have with assistance of the mediator voluntarily arrived to an amicable solution resolving the above mentioned disputes and differences.

5. The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this settlement agreement in the presence of the Mediator.

6. The following settlement has been arrived at



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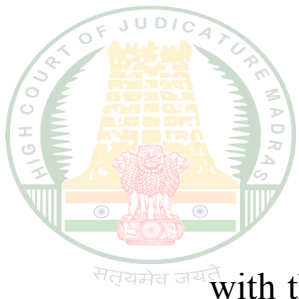
between the parties hereto:

a. As requested by the petitioner, the Respondent hereby agrees to pay interest at the rate of 5% p.a on the belatedly paid differential amount of gratuity for service rendered as Trainee Bill Clerk/Trainee Shop Assistant within a period of one month.

7. The 7th petitioner had died and the legal heirs are not willing to proceed with the matter and as such the writ petition may be dismissed as abated in respect of the 7th petitioner.

8. By signing this agreement the parties hereto state tat they have no further claims or demands against each other with respective to W.P.No4928 of 2020 and all disputes and differences in this regard have been amicably settled by the parties hereto through the process of Mediation.

4. On going through the above agreement, it is seen that the 7th petitioner died and the legal heirs are not willing to proceed with the matter. It is pertinent to note that the legal heirs of the 7th petitioner have have also given a letter on 22.01.2025, wherein they have requested to withdraw the writ petition. It is stated that the 13thpetitioner/S.Munusamy is bed ridden and he has given a letter of authorization to his wife M.Pachiammal to proceed with the matter and she has also agreed to the terms of the settlement and signed in the agreement. T.Aiyyasamy/15th petitioner has issued authorization letter to the first respondent to proceed



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with the matter and he has also agreed to the terms of the settlement and signed in the agreement. It is made clear that in future if the legal heirs of the 7th petitioner make any claim, the same shall be considered after verifying the legal heirship certificate and other relevant documents.

5. In view of the settlement agreement arrived between the parties, this writ petition is disposed of. No order as to costs. The settlement agreement entered between the parties which is extracted above forms part of this order.

06.02.2025

Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

smn

To

The General Manager (Administration)

Gratuity Trust Fund

Tamil Nadu Civil Supply Corporation Ltd.,

Head Office, Kilpauk, Chennai - 10

V.BHAVANI SUBBAROYAN, J.

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