



W.P.No.29439 of 2015

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.29439 of 2015
and M.P.No.1 of 2015**

The Management,
Hatari Tea Industries,
Ithalar,
Udhagamandalam,
The Nilgiris District.

... Petitioner

Vs.

1.The Joint Commissioner of Labour cum
Appellate Authority under Payment of Gratuity Act,
Coimbatore.

2.The Deputy Commissioner of Labour cum
Controller under Payment of Gratuity Act,
Coimbatore.

3.P.P.Johi

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorari, to call for the records relating to
the impugned order dated 04.06.2015 in A.G.A.No.4 of 2015 on the file of



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the first respondent confirming the order dated 20.11.2024 in G.A.No.186 of 2010 of the second respondent and quash the same.

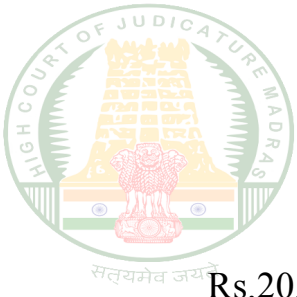
For Petitioner : Ms.S.Meenakshi

For Respondents : Mr.K.Surendran
Additional Government Pleader
for R1 and R2
Mr.V.Sivakumar for R3

O R D E R

This Writ Petition has been filed challenging the order dated 04.06.2015 passed in A.G.A.No.4 of 2015 by the first respondent confirming the order dated 20.11.2024 passed in G.A.No.186 of 2010 by the second respondent.

2. The learned counsel appearing for the petitioner submits that the third respondent employee has filed a gratuity application under Section 4 of the Gratuity Act, 1972, claiming gratuity amount of Rs.29,885/- before the second respondent, against the petitioner Management and the second respondent has passed an order on 20.11.2014 awarding a sum of



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Rs.20,192/- with 10% interest, against which, the petitioner has preferred an appeal before the first respondent in A.G.A.No.4 of 2015 and it was dismissed vide impugned order dated 04.06.2015 which is under challenge in this writ petition. The learned counsel further submits that on 18.09.2015, this Court granted an order of interim stay on condition that the petitioner shall pay a sum of Rs.20,000/- to the third respondent within a period of four weeks from the date of receipt of a copy of the order, pursuant to which, the sum of Rs.20,000/- was deposited by way of a Demand Draft drawn in the name of the third respondent. Hence, this Court may close the writ petition since the entire compensation was paid without interest.

3. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the first and second respondents and the learned counsel appearing for the third respondent.

4. Though the third respondent sought for interest on the gratuity amount, in view of the fact that in the writ petition, this Court directed the



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petitioner to pay the gratuity amount and to show the *bona fides*, the petitioner has also deposited the gratuity amount, this Court is of the view that to render substantial justice, the petitioner need not be forced to pay the interest, since the order impugned was passed in the year 2015 and this writ petition has been filed by the petitioner immediately.

5. In such view of the matter, this Writ Petition is closed by recording the payment of Rs.20,000/- made by the petitioner to the respondent as gratuity. There shall be no order as to costs. Connected miscellaneous petition is closed.

13.03.2025

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



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To

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M.DHANDAPANI,J.

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