



WEB COPY

WP No. 7198 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 7198 of 2022

D.Arul Kamaraj
6/26, New P.P.Koil Street, Pallavaram,
Chennai 600043.

Petitioner(s)

Vs

The Deputy Commissioner of Labour
(Gratuity)
O/o. the Deputy Commissioner Labour
Office, Chennai 600 006.

Respondent(s)

PRAYER

Calling for the records of the respondent in the impugned order No. Na.Ka.E.0112/2019 dated 22.2.2022 and quash the same consequently direct the respondent to amend the cause title as FOUNTAIN CONSUMER APPLIANCES LIMITED, No.4/235, MGR Road, Pallavakkam, Chennai 600041 in the final order NO.PG90/2016 Dt.22.10.2018 passed by Mr.Govinthan, Deputy Commissioner of Labour as per the order in I.A.62/2015 dt.30.09.2016 passed by Mr.Dharmaseelan, the previous Assistant Commissioner of Labour.



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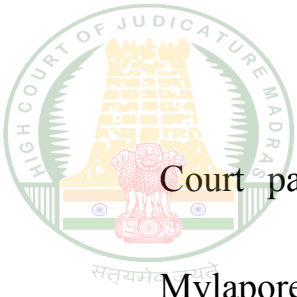
For Petitioner(s): K.Gajendiran

For Respondent(s): Mr. K. Surendren, AGP For
Respondents

ORDER

This writ petition has been filed seeking to quash the impugned order No. Na.Ka.E.0112/2019 dated 22.2.2022 and to consequently direct the respondent to amend the cause title as FOUNTAIN CONSUMER APPLIANCES LIMITED, No.4/235, MGR Road, Pallavakkam, Chennai 600041 in the final order No.PG90/2016 dated 22.10.2018 passed by the Deputy Commissioner of Labour as per the order in I.A.62 in 2015 dated 30.09.2016 the then Assistant Commissioner of Labour.

2. It is the case of the petitioner that the petitioner filed a gratuity claim petition before the Deputy Commissioner of Labour in P.G.No.90 of 2016. However, an award dated 22.10.2018 came to be passed with a direction to the company to pay Rs.2,26,154/- along with interest. Since the said order was not complied with, the petitioner approached the Labour Court, wherein the Labour

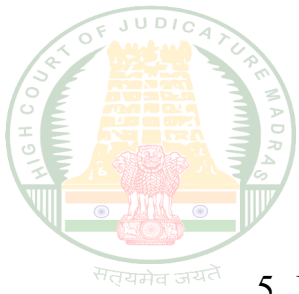


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Court passed an order to the Collector of Chennai through Thasildar of Mylapore demanding a revenue recovery. Against which, the company filed a petition in W.P.No.12882 of 2020. The petitioner filed an I.A. before the Deputy Commissioner of Labour to amend the cause title of the respondent company made in the final order of P.G.No.90 of 2016 dated 22.10.2018 and to that effect a representation dated 24.01.2022 was also made to the Labour Commissioner, which was rejected vide order dated 22.02.2022 on the ground that the writ petition filed by the company in W.P.No.12882 of 2020 is still pending before this Court. Challenging the same, the present writ petition has been filed.

3. Though very many grounds have been raised in the above writ petition, however, the learned counsel for the petitioner restricted his prayer and sought a direction to the respondent to rectify the error made in cause title of the order dated 22.10.2018.

4. Heard the learned Additional Government Pleader appearing for the respondent and perused the materials placed on record.



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5. It is pertinent to note that the connected writ petition in W.P.No.12882 of 2020 has been dismissed by this Court today (25.04.2025) for non-prosecution, since the learned counsel for the petitioner therein failed to appear before this Court. In view of the above, this Court directs the respondent to rectify the mistake made in PG.No.90 of 2016 dated 22.10.2018 passed by the Deputy Commissioner of Labour as per the order made in I.A.62 in 2015 dated 30.09.2016 the then Assistant Commissioner of Labour within a period of two weeks from the date of receipt of a copy of this order.

6. With the above observation and direction, this writ petition is disposed of. No costs.

25-04-2025**2/2**

RAP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1. The Deputy Commissioner of Labour
(Gratuity)

O/o. the Deputy Commissioner Labour
Office, Chennai 600 006.



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M.DHANDAPANI J.

RAP

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