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W.P.No.14847 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14847 of 2022

And

W.M.P.No.14057 of 2022

The Chairman and Managing Director,
Indian Overseas Bank,
Central Office, 762,
Anna Salai,
Chennai 600 002.

... Petitioner

Vs.

1.C.Balraj

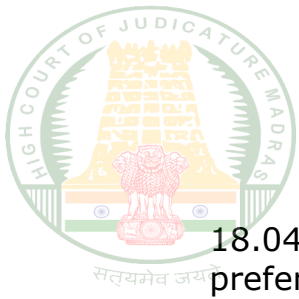
2.The Appellate Authority under the
Payment of Gratuity Act, &
Dy. Labour Commissioner (Central) Chennai,
5th Floor, Shastri Bhawan,
Chennai 600 006.

3.The Controlling Authority under
the Payment of Gratuity Act,
Office of the Regional Labour Commissioner (Central)
Kanaga Apartments, Suite No.III, I Floor,
13-A, Lady Doak College Road,
Chinna Chokkikulam,
Madurai 625 002.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent's impugned order No.39/6/PGA/2020-B1 dated



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18.04.2022 and quash the same and consequently allow the appeal preferred by the petitioner before the second respondent in Gratuity Appeal No.6/2020.

For Petitioner : Mr.R.Manimuthu
For Respondents : M/s.V.Porkodi for R1
Mr.S.Diwakar for R2 and R3

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus, to call for the records of the second respondent's impugned order No.39/6/PGA/2020-B1 dated 18.04.2022 and quash the same and consequently allow the appeal preferred by the petitioner before the second respondent in Gratuity Appeal No.6/2020.

2.It is represented by the learned counsel appearing for the petitioner that the matter was settled before the Mediation Centre on 28.01.2025. The terms of settlement as per the compromise memo enclosed along with the Mediation Report dated 28.01.2025 reads as follows:

"1. The petitioner is represented by Mr.Niraj Kumar, Chief Manager, Human resources Department, Indian Overseas Bank, Chennai and he is duly authorized to execute the above



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compromise memo.

2. Both the petitioner and the 1st Respondent arrived at an amicable settlement and the 1st Respondent, Mr.C.Balraj had agreed to receive the amount of Rs.13,42,739/- which is deposited before the 3rd Respondent, viz. The Controlling Authority under the Payment of gratuity act & The Regional Labour Commissioner (Central) Madurai, in proceedings No.48/231/2017-R/M dated 29.11.2019 in G.A.No.2314/2018 as full and final settlement of gratuity amount payable to the 1st Respondent.

3. The 1st Respondent, Mr.C.Balraj affirms that he will not claim any further interest from the Petitioner on the gratuity amount deposited before the 3rd respondent in 2020 in proceedings No.48/231/2017-R/M dated 29.11.2019.

4. This joint compromise memo is filed before the Mediation Centre for recording the same and to permit the 1st respondent Mr.C.Balraj, to withdraw the gratuity amount with interest of Rs.13,42,739/-, deposited before the 3rd respondent by the petitioner.

5. The 1st respondent Mr.C.Balraj, shall submit a claim letter to the 3rd respondent for withdrawing the amount of Rs.13,42,739/- as



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full and final settlement of gratuity amount payable to him.

6. The 3rd respondent may be directed to pay the amount of Rs.13,42,739/- to the 1st respondent Mr.C.Balraj, as per the terms of this compromise memo."

3.The Mediation Report dated 28.01.2025 shall form part and parcel of this order. The writ petition is closed in terms of the Mediation Report. No costs. Consequently, connected miscellaneous petition is closed.

05.02.2025

pri
Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

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M.DHANDAPANI,J.
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