



W.P.Nos.10275, 3488, 3532, 4004, 10699, 13759, 13761,13762 13768, 13769 of 2024, ~
W.P.Nos.18, 301 & 305 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 11.06.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.Nos.10275, 3488, 3532, 4004, 10699, 13759, 13761,13762 13768,
13769 of 2024, & W.P.Nos.18, 301 & 305 of 2022

and

WMP.Nos.11295, 11296, 3444, 3747, 3971, 3796, 4320, 4323, 11783,
11785, 14920, 14921,14923, 14924, 14927, 14928, 14933, 14935 14936,
14937, of 2024 and WMP.Nos.22, 23, 329, 330, 333 & 334 of 2022

The Administrative Officer
Heavy Water Plant, Tuticorin
Department of Atomic Energy
HWP Colony
Tuticorin - 628 007.

... Petitioner in all WPs

Vs

- | | |
|------------------------|---|
| 1.R.Thangaraj | ... 1st Respondent in WP.No.10275 of 2024 |
| 2.C.Arulnanda Raj | ... 1st Respondent in WP.No.3488 of 2024 |
| 3.S.Kadakkarai | ... 1st Respondent in WP.No.3532 of 2024 |
| 4.S.Vanniarajan | ... 1st Respondent in WP.No.4004 of 2024 |
| 5.T.Murugesan | ... 1st Respondent in WP.No.10699 of 2024 |
| 6.T.Dekshinamoorthi | ... 1st Respondent in WP.No.13759 of 2024 |
| 7.V.Gomathi | ... 1st Respondent in WP.No.13761 of 2024 |
| 8.S.Ganesan | ... 1st Respondent in WP.No.13762 of 2024 |
| 9.C.Mohanan | ... 1st Respondent in WP.No.13768 of 2024 |
| 10.P.Thirumeni | ... 1st Respondent in WP.No.13769 of 2024 |
| 11.N.Mohammed Anwar | ... 1st Respondent in WP.No.18 of 2022 |
| 12.M.Henry Wilson | ... 1st Respondent in WP.No.301 of 2022 |
| 13.Lakshmi Jeyashankar | ... 1st Respondent in WP.No.302 of 2022 |



W.P.Nos.10275, 3488, 3532, 4004, 10699, 13759, 13761,13762 13768, 13769 of 202 ., ~
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2.The Regional Labour
Commissioner (Central) Madurai
Kanga Apartments
Suit No.III, I Floor
13-A, Lady Doak College Road
Chinna Chokkikulam
Madurai - 625 002.

... 2nd Respondent in all WPs

3.The Deputy Chief Labour Commissioner (Central)
V Floor, Shastri Bhavan
Chennai - 600 006.

... 3rd Respondent in all WPs

Common Prayer in W.P.Nos.10275, 3488, 3532, 4004, 10699, 13759, 13761,13762 13768, 13769 of 2024 :

Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the common order dated 31.03.2021 including petitioner's appeal in (i) PGA No.142/2019 (in WP.No.10275 of 2024); (ii) PGA.No.79/2019 (in WP.No.3488 of 2024); (iii) PGA.No.23/2020 (in WP.No.3532 of 2024); (iv) PGA.No.136/2019) (v) PGA.No.15/2020 (in WP.No.10699 of 2024); (vi) PGA.No.36/2019 (in WP.No.13759 of 2024) (vii) PGA.No.29/2019 (in WP.No.13761 of 2024) (viii) PGA.No.67/2020 (in WP.No.13762 of 2024) (ix) PGA.No.25/2020 (in WP.No.13768 of 2024);(x) PGA.No.130/2019 (in WP.No.13769 of 2024) respectively passed by the third respondent, the learned Deputy Chief Labour Commissioner (Central), Chennai in GA.Nos.9 to 12, 15 to 68, 70 to 86, 111 to 145 of 2019 and in GA.Nos.15 to 25 and 28 to 72 of 2020, and quash the same.



W.P.Nos.10275, 3488, 3532, 4004, 10699, 13759, 13761, 13762, 13768, 13769 of 2024, ~
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Common Prayer in W.P.Nos.18, 301 & 305 of 2021:

Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the common order dated 31.03.2021 passed by the third respondent, the learned Deputy Labour Commissioner (Central), Chennai in P.G.A.No.69/2020, P.G.A.No.15 of 2019 & P.G.A.No.74 of 2019 respectively and to quash the same.

For Petitioner : Mr.S.Janarthanam
(in all WPs)

For Respondents : Mr.S.T.Varadarajulu for R1
(in WP.No.10275, 3488 of 2024 &
WP.Nos.18, 301 & 305 of 2022)

Mr.A.Veeramani, CGC for R2 & R3
(in WP.No.10275 of 2024,
WP.Nos.18 of 2022)

Mr.M.Arvind Kumar, SCGPC for R2 & R3
(in W.P.Nos.3532, 4004, 13759, 13761,
13762, 13768, 13769 of 2024)

Mr.K.Srinivasamurthy, SPCCG for R2 & R3
(in W.P.No.3488 of 2024)

Mr.G.Baskaran, CGSC for R2 & R3
(in W.P.No.10699 of 2024)

Mr.K.Ramamoorthy, SPC for R2 & R3
(in W.P.No.301 & 302 of 2022)

R1 Died [in W.P.No.3532, 10699 of 2024]



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COMMON ORDER

The above writ petitions have been filed challenging the order dated 31.02.2021 passed by the third respondent under the Payment of Gratuity Act.

2. The learned counsel appearing for the petitioners has brought to the notice of the Court that similar writ petitions have been filed by the petitioner herein before this Court in W.P.No.31571, 31630 of 2024 and etc., batch, where the learned Single Judge by her order dated 29.10.2024 had disposed of the said writ petitions, by drawing reference to the orders passed by the Division Bench of this Court in W.A.Nos.1687 of 2021 etc. batch along with W.P.Nos.19117 of 2022 etc. batch.

3. The Division Bench in its order dated 21.06.2023, has given the following relief which are extracted hereunder:

"14. Therefore, we are of the view that the order of the learned Single Judge confirming the order of the Appellate Authority, who has confirmed the order of the Controlling Authority is set aside and the writ appeals are allowed.



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15. *Insofar as writ petitions are concerned, the common order of the Appellate Authority dated 31.03.2021 confirming the order of the Controlling Authority is set aside and the writ petitions are allowed. No costs.*

16. *It is brought to the notice of this Court that pursuant to the orders of the Controlling Authority concerned in the writ appeals and writ petitions, the difference of gratuity amounts have been deposited before the respective authorities as it is a condition precedent before preferring appeals before the Appellate Authority concerned in the writ appeals and writ petitions. Some of the employees concerned in the writ appeals have already withdrawn their respective amounts and the employees concerned in the writ petitions are yet to withdraw. We make it very clear that the employees who had already withdrawn the amounts need not return the money and that the appellant/writ petitioner Management cannot demand for refund of the said amounts. The amounts, which are lying in deposit together with accrued interest shall be returned to the appellant/writ petitioner Management within a period of four months from the date of receipt of a copy of this order. Connected miscellaneous petitions are closed."*

4. In the light of the orders passed by this Court on an earlier occasion, the present writ petitions are disposed of. There shall be a direction to the



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third respondent to return the amounts which are lying in deposit, to the petitioner Management together with accrued interest, within a period of four months from the date of receipt of a copy of this order. The authorities shall not insist upon separate orders for each of the writ petitions and shall treat this common order as the order for each writ petition. No costs. Consequently, connected miscellaneous petitions are closed.

11.06.2025

Index : Yes / No

Neutral Citation : Yes / No

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To:

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Commissioner (Central) Madurai
Kanga Apartments
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P.T. ASHA, J.

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