



WP.No.21101 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.21101 of 2025

B.Gomathi

... Petitioner

Vs.

1.The Deputy Commissioner Of Labour
Authority, Under The Payment Of Gratuity Act, 1972,
DMS Compound, Teynampet, Chennai-06.

2.The Assistant Commissioner Of Labour
Controlling Authority, Under The Payment Of Gratuity Act, 1972,
DMS Compound, Teynampet, Chennai-06.

3.The Managing Director
Madurantahgam Coop.Sugar Mills, Padalam- 603 208.Kancheepuram
District.

4.The District Collector
Kancheepuram District, Kancheepuram.

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India directing to the 4th respondent to implement the order dated 27.01.2025 issued by the 1st respondent to recover the default 15 percent compound interest amount from the 3rd respondent u/s 8 of Revenue Recovery Act.



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For Petitioner : M/s.D.Bharathy

For Respondent : M/s.M.Murali, Govt. Advocate,
for R.1 to R.4.

ORDER

Seeking a mandamus to the 4th respondent to implement the order dated 27.01.2025 of the 1st respondent, the petitioner is before this Court.

2. The short facts are as follows:-

3. The petitioner had filed gratuity application before the 2nd respondent in PG.No.24/2019 which was dismissed by an order dated 19.12.2020. Aggrieved by this order, the petitioner had preferred a gratuity appeal before the 1st respondent in PGA.No.40/2022. By order dated 25.10.2023, the 1st respondent had allowed the said appeal.

4. Thereafter, on 31.05.2024, the petitioner had received the gratuity amount, however, the 3rd respondent did not deposit the 15%



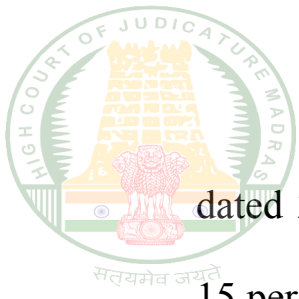
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compound interest. Therefore, in order to recover the said interest amount, the 1st respondent by an order dated 27.01.2025 had requested the 4th respondent to initiate proceedings under the Revenue Recovery Act, however, to date the 4th respondent has not initiated any proceedings to recover the amount under Section 8 of the Revenue Recovery Act. Therefore, the petitioner has come forward with the above Writ Petition.

5. Heard the learned counsel on either side.

6. The only grievance of the petitioner is that the 4th respondent who is tasked with the duty under the Revenue Recovery Act has failed to discharge the said duty. It is seen that though the 1st respondent had requested the 4th respondent to initiate action under the Revenue Recovery Act vide order dated 27.01.2025, no action has been taken by the 4th respondent to date.

7. Therefore, considering the fact that the 4th respondent has failed to discharge its statutory duty, the Writ Petition is allowed. A mandamus is issued to the 4th respondent to implement the order



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dated 27.01.2025 issued by the 1st respondent to recover the default 15 percent compound interest amount from the 3rd respondent u/s 8 of Revenue Recovery Act within a period of 3 months from the date of receipt of a copy of this order. No costs.

17.06.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

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P.T. ASHA. J.,



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