



WP.No.21094 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

WEB COPY

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.21094 of 2025

1.C.Arumugam

2.S.Rajendran

3.P.Geetha

4.J.Mani

5.N.Vasu

6.E.Mohan

7.R.Gnanaprakasam

8.A.Perumal

9.S.Dharani

10.V.Kakkan

... Petitioners

Vs.

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



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

3.The District Collector
Kancheepuram District, Kancheepuram.

... Respondents

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India directing to the 3rd respondent to implement the order dated 19.02.2025 issued by the 1st respondent to recover the principle gratuity amount along with default 15 percent compound interest amount from the 2nd respondent u/s 8 of Revenue Recovery Act.

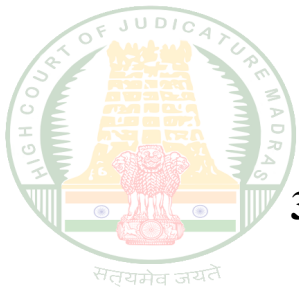
For Petitioner : M/s.D.Bharathy

For Respondent : M/s.M.Murali, Govt. Advocate,
for R.1 to R.3.

ORDER

Seeking a mandamus to the 3rd respondent to implement the order dated 19.02.2025 of the 1st respondent, the petitioners are before this Court.

2. The short facts are as follows:-



3. The petitioners had filed gratuity applications before the 1st respondent in PG.Nos.45, 56, 80, 81, 82, 83/2022, PG.Nos.173, 240/2022 and PG.Nos. 5, 6/2023. By orders dated 15.07.2024 these applications were allowed. However, the 2nd respondent had failed to comply with the order.

4. The petitioners would submit that by an order dated 19.02.2025, the 1st respondent had requested the 3rd respondent to initiate proceedings under the Revenue Recovery Act to recover the amount due to the petitioners from the 2nd respondent, however, to date the 3rd respondent has not initiated any proceedings to recover the amount under Section 8 of the Revenue Recovery Act. Therefore, the petitioners have come forward with the above Writ Petition.

5. Heard the learned counsel on either side.

6. The only grievance of the petitioners is that the 3rd 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 3rd respondent to initiate action under the Revenue Recovery Act vide order dated 19.02.2025, no action has been taken by the 3rd respondent to date.

7. Therefore, considering the fact that the 3rd respondent has failed to discharge its statutory duty, the Writ Petition is allowed. A mandamus is issued to the 3rd respondent to implement the order dated 19.02.2025 issued by the 1st respondent to recover the principal gratuity amount along with the default compound interest of 15% from the 2nd respondent under Section 8 of the Revenue Recovery Act within a period of 3 months from the date of receipt of a copy of this order. No costs.

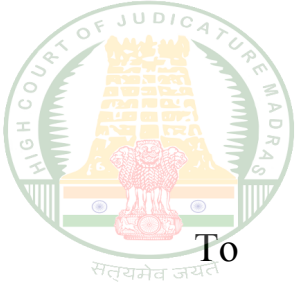
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(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No



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