



W.A.Nos.2397 & 2411 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2025

WEB COPY

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.A.Nos.2397 & 2411 of 2025

and

C.M.P.Nos.18272 & 18435 of 2025

W.A.No.2397 of 2025

The Management of
Padavedu Primary Agricultural
Co-operative Credit Society Ltd.,
A.K.Padavedu,
Polur Taluk,
Tiruvannamalai - 606 905

..Appellant

Vs.

1. Rajeswari
W/o Late Subbarayan
2. Paramewari,
D/o Late Subbarayan
3. Vijayalakshmi,
D/o Late Subbarayan
4. Sangeetha,
D/o Late Subbarayan
5. Srinivasan,
S/o Late Subbarayan
6. The District Collector,
Tiruvannamalai - 606 601.



W.A.Nos.2397 & 2411 of 2025



WEB COPY

7. The Tahsildar,
Polur,
Tiruvannamalai - 606 803

8. The Revenue Inspector,
Santhavasal Circle,
Polur Taluk,
Tiruvannamalai - 606 905

..Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order of this Court passed in W.P.No.6305 of 2025 dated 25.02.2025.

W.A.No.2397 of 2025

The Management of
Padavedu Primary Agricultural
Co-operative Credit Society Society Ltd.,
A.K.Padavedu,
Polur Taluk,
Tiruvannamalai - 606 905

..Appellant

Vs.

1. C.Arumugam
S/o Chinnakannu
2. The District Collector,
Tiruvannamalai - 606 601.
3. The Tahsildar,
Polur,
Tiruvannamalai - 606 803
4. The Revenue Inspector,
Santhavasal Circle,
Polur Taluk,
Tiruvannamalai - 606 905

..Respondents

For Appellant : Mr.D.Ravindranathan



For Respondents: Mr.R.Arumugam for R1/Caveator

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order of this Court passed in W.P.No.6992 of 2025 dated 27.02.2025.

COMMON JUDGMENT

(The judgment of the Court was made by J.Nisha Banu,J.)

These writ appeals have been filed by the Management as against the orders passed in W.P.No.6305 of 2025 dated 25.02.2025 and W.P.No.6992 of 2025 dated 27.02.2025 respectively.

2. Since the issue involved in both these writ appeals are one and the same, both the appeals are taken up together and a common judgment is passed.

3. W.P.No.6305 of 2025 has been filed by the legal heirs of the workman and W.P.No. 6992 of 2025 has been filed by the workman. Both the writ petitions have been filed to direct the respondents therein to recover a sum of Rs.4,95,764/- and Rs.9,13,038/- respectively with 15 % interest from the appellant/management as per the orders of Labour Court dated 11.09.2024 and 13.12.2023 respectively and pay the same to the petitioners therein.

4. The petitioners were dismissed from service due to certain delinquencies. However, the Labour Court found that the charges were



WEB COPY

not proved and directed the management to reinstate the petitioners into service with full backwages, continuity of service and other attendant benefits. Thereafter, they were reinstated in service and also retired from service. However, aggrieved by the denial of payment of gratuity, the workmen filed appeals before the Controlling Authority, who passed orders directing the Management to pay the gratuity amount to the petitioners. However, the said orders passed by the Authority has not been complied with. Hence, the petitioners approached the Labour Court and the Labour Court directed the Collector to recover the said amount from the management and pay the same to the petitioners. Since the orders passed by the Labour court were not implemented, the petitioners filed the said writ petitions. The Writ Court, directed the Collector to implement the orders passed by the Labour Court within the specified period. Aggrieved by the said order passed by the Writ Court, these Appeals have been filed by the Management.

5. Heard the learned counsel for the appellants and the learned counsel appearing for the respondent/caveator and perused the materials available on record.

6. Payment of gratuity is denied to the workmen. An employer cannot deny payment of gratuity as it is a statutory right of an employee. In the present case, there is no impediment in payment of gratuity to the



W.A.Nos.2397 & 2411 of 202:

workmen as the charges levelled against the workmen were not proved and they were reinstated in service and also retired from service.

WEB COPY

Therefore, we find that there is no illegality or infirmity in the orders passed by the writ Court directing the Collector to implement the order passed by the Labour Court. Hence, the Writ Appeals stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[J.N.B.,J.] [M.J.R.,J.]
11.08.2025

vsi

Speaking order/Non-speaking order

Neutral Citation: Yes/No

To

1. The District Collector,
Tiruvannamalai - 606 601.
2. The Tahsildar,
Polur,
Tiruvannamalai - 606 803
3. The Revenue Inspector,
Santhavasal Circle,
Polur Taluk,
Tiruvannamalai - 606 905



WEB COPY



W.A.Nos.2397 & 2411 of 202:

J.NISHA BANU,J.
AND
M.JOTHIRAMAN,J.

Vsi

W.A.Nos.2397 & 2411 of 2025

11.08.2025