

W.P.No.24731 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.24731 of 2025

Dr. T. R. Saravanan

... Petitioner

Vs.

1. The District Collector,
District Collectorate Campus,
Chengalpet District
Chengalpet - 603001

2. The District Collector,
District Collectorate Campus,
Kancheepuram District,
Kancheepuram - 631501

3. The Tahsildar,
Thiruporur Tahsildar Office,
Thiruporur, Chengalpattu District-603 105

4. The Deputy Commissioner of Labour (i/c),
O/o. Joint Commissioner of Labour II,
The Controlling Authority Under the Gratuity Act,
II Floor, D M S Complex,
Anna Salai, Chennai -6

5. The Chairman and the Managing Trustee,
JEPPIAAR SRR Engineering College
(Formerly SRR Engineering College)
run by Sivaraja Ramalingapi Trust,



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Old Mamallapuram Road,
Padur, Chengalpet District-603 103.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus by directing 1st & 3rd Respondents to consider the representation of the petitioner dated 20.03.2025 by taking further actions against the 5th Respondent to recover the gratuity amount payable to the petitioner along with 15% Compound interest from the date on which it becomes due till the date of realization as per law based on the Certificate of Recovery dated 18.10.2024 vide Proceedings No.D1/5800/24 issued by the 4th Respondent.

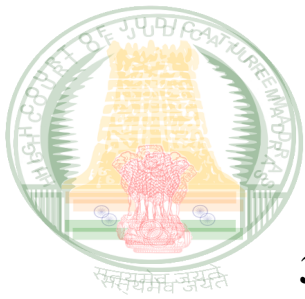
For Petitioner : M/s.A.Ganapatheeswaran

For Respondent : M/s.M.Jayanthi,AGP for R.1 to R.4

ORDER

Seeking a mandamus to respondents 1 and 3 to consider the representation dated 20.03.2025, the petitioner is before this Court.

2. The short facts are as follows:-



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3. The petitioner is the ex-teaching staff of the 5th respondent college. After being relieved from the service, he had requested the 5th respondent to pay the gratuity amount due to him and sent Form I to the 4th respondent. Since there was no response from the 5th respondent, the petitioner had filed a gratuity application before the 4th respondent seeking a direction to the 5th respondent to disburse the gratuity amount of Rs.4,63,235.80/- along with 10% interest from 12.12.2020 till the date of payment.

4. On 12.03.2024, the gratuity application filed by the petitioner has been allowed by the 4th respondent directing the 5th respondent to pay the gratuity amount of Rs.4,63,236/- along with 10% interest from the date on which the said amount is payable to the petitioner.

5. On 04.05.2024, the petitioner had sent a representation to the 5th respondent enclosing the order passed by the 4th respondent and requesting payment of the gratuity amount. However, the 5th respondent had not come forward to pay the gratuity amount.



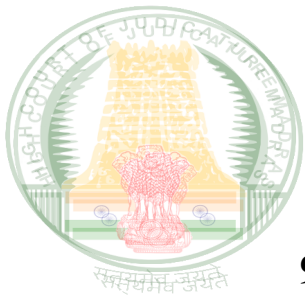
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6. On 25.07.2024, by filing Form-T, the petitioner had requested the 4th respondent to issue a Certificate of Recovery against the 5th respondent under Section 8 of the Payment of Gratuity Act, 1972. As the 5th respondent had failed to respond to the show cause notice issued by the 4th respondent, the 4th respondent had proceeded to issue a Certificate of Recovery vide his proceedings dated 18.10.2024.

7. Though the 4th respondent had initiated proceedings to recover the due amount under the Revenue Recovery Act as early as on 18.10.2024 and the petitioner has given his representation on 20.03.2025 to respondents 1 & 3 to take necessary action on the Certificate of Recovery issued by the 4th respondent, to date the amount has not been recovered from the 5th respondent. Therefore, the petitioner has filed the above Writ Petition.

8. Heard the learned counsel on either side.



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9. Considering the limited request and the fact that the respondents 1 & 3 have failed to discharge their statutory duties, directions are issued to respondents 1 & 3 to consider the representation of the petitioner dated 20.03.2025, by taking further actions against the 5th Respondent to recover the gratuity amount payable to the petitioner along with 15% Compound interest from the date on which it becomes due till the date of realization as per law based on the Certificate of Recovery dated 18.10.2024 vide Proceedings No.D1/5800/24 issued by the 4th Respondent and pass orders within a period of 3 months from the date of receipt of a copy of this order.

10 . Accordingly, the Writ Petition is allowed. No costs.

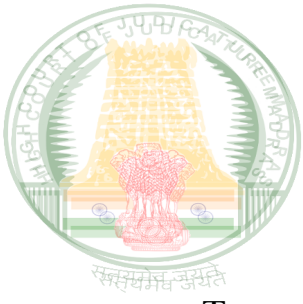
09.07.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

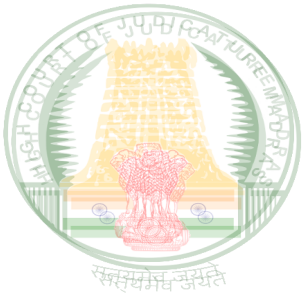


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