IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM:

THE HONOURABLE Ms. JUSTICE P.T.ASHA

W.P.No.28704 of 2025

S.Valli .... Petitioner

Vs.

1. The Collector,
   Office of the Collectorate,
   Tirupathoor,
   Tirupathur – 635 601.

2. The Revenue Divisional Officer,
   Taluk Office,
   Tirupathoor – 635 601.

3. The Tahsildar,
   Tirupattur Taluk- 635 601 ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents 1 to 3 to recover the amount of Rs.59,388/- from the Management / 4th respondent C.K.Sons Shoes in pursuance of the revenue recovery certificate dated 08.11.2010 of the Controlling

Authority under Payment of Gratuity Act, 1972 within the time limit fixed by this Court.

For Petitioner : Ms.S.Thamizharasi

For Respondents 1 to 3 : Ms.M.Jayanthi, Additional Government Pleader

ORDER

This writ petition is filed for the following relief:

> "To issue a Writ of Mandamus to direct the respondents 1 to 3 to recover the amount of Rs.59,388/- from the Management / 4th respondent, C.K.Sons Shoes in pursuance of the Revenue Recovery Certificate dated 08.11.2010 of the Controlling Authority under Payment of Gratuity Act, 1972 within the time limit fixed by this Court."

2. It is the case of the petitioner that she had filed P.G.Case No.110 of 2006 against the 4th respondent on the file of the Assistant Commissioner of Labour, Chennai and the authority was pleased to allow the same by order dated 30.06.1999, directing the Management

to pay a sum of Rs.29,694/- together with interest @ 10% within 30 days from the date of the order. However, the Management did not come forward to make the payments despite several reminders being issued by the petitioner. The petitioner had therefore filed a Form-T before the Controlling Authority and the Controlling Authority had requested the 1st respondent to issue the Revenue Revenue Certificate.

3. Thereafter, a notice dated 26.03.2010 was issued by the Controlling Authority to the 4th respondent to show cause as to why a Revenue Recovery Certificate should not be issued, to which there was neither payment nor a response. Consequently, by Order dated 08.11.2010, the Controlling Authority had issued the Revenue Recovery Certificate.

4. The Collector had issued the Revenue Recovery Proceedings dated 04.07.2022 directing the Tahsildar to take action. However, till date, no further action has been taken and the matter has been pending in the Collector's Office since 04.07.2022.

5. The petitioner had thereafter taken a petition dated 29.08.2014 requesting the 1st respondent to direct the 3rd respondent/Tahsildar to initiate action against the 4th respondent-Management. Since no further action was action, the petitioner has approached this Court.

6. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for respondents 1 to 3.

7. Considering the fact that the petitioner, who has obtained an order in her favour in P.G. No. 110 of 2006 as early as on 30.06.2009 is yet to see the colour of the coin and that respondents 1

to 3 despite issuing the Revenue Certificate on 04.07.2022, have not proceeded to implement the same, a mandamus is issued to the respondents 1 to 3 to recover the amounts due from the 4th respondent in pursuance of the Revenue Recovery Certificate dated 08.11.2010, within a period of 2 months from the date of receipt of a copy of this order and report compliance to this Court.

8. Accordingly, this Writ Petition is allowed. No costs.

05.08.2025

srn

To

1. The Collector,
   Office of the Collectorate,
   Tirupathoor,
   Tirupathur – 635 601.

2. The Revenue Divisional Officer,
   Taluk Office, Tirupathoor – 635 601.

3. The Tahsildar,
   Tirupattur Taluk- 635 601

P.T.ASHA, J.,

srn

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