



WEB COPY

WP No. 35159 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 35159 of 2025

D.Mounissamy,
S/o.Deivanayagam,
No.2, Mariamman Kovil Street,
Chinna Arachikuppam,
Pondicherry- 607 402.

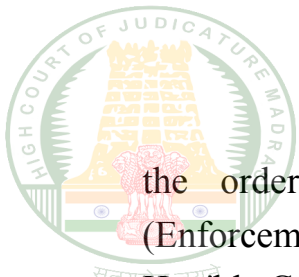
Petitioner(s)

Vs

1. The District Collector,
I-Floor, New Collectorate Building,
Vazhudavoor Road,
Pettaiyanchathiram,
Puducherry - 605 009.
- 2.The Chariman PRTC/ Secretary (Transport),
Puduchery Road Transport Corporation Limited,
Puducherry - 605 001.
- 3.The Managing Director,
Puducherry Road Transport Corporation Ltd.,
Raja Nagar, Puducherry - 605 013.

Respondent(s)

Writ petition is filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, to direct the 1st respondent to recover and pay the petitioner the applicable interest amount of Rs. 2,69,268/- calculated at 10% on Rs. 5,32,640/- from 31.07.2021 to 20.07.2023 and the compound interest at 15% from 21.07.2023 to 21.03.2025 from the 3rd respondent as in accordance with



the order passed by the Controlling Authority -cum- Labour officer (Enforcement), Puducherry within the time frame that may be stipulated by this Hon'ble Court.

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For Petitioner(s): Mr.S. Lakshmi Narayanan

For Respondent(s): M/s.G.Djearany,
Government Advocate
for R1
Mr.R.Sreedhar,
Additional Government Pleader
for R2 and R3

ORDER

Writ petition is filed for a mandamus, directing the 1st respondent to recover and pay the petitioner the applicable interest of Rs.2,69,268/- calculated at 10% interest on the sum of Rs.5,42,833/-, from 31.07.2021 to 20.07.2023 and compound interest at 15% from 21.07.2023 to 21.03.2025, from the 3rd respondent, in accordance with the order passed by the Controlling Authority cum Labour Officer (Enforcement), Puducherry, within time frame stipulated by this Court.

2. The petitioner was appointed as Store Keeper with the 3rd respondent Corporation on 26.05.1993. The petitioner worked with the 3rd respondent corporation till 31.07.2021. The petitioner attained the age of superannuation on



31.07.2021. The petitioner states that the 3rd respondent post retirement, failed to pay the gratuity amount to the petitioner as per the provisions of Payment of Gratuity Act, 1972 & Rules. The petitioner therefore requested the 3rd respondent to settle the gratuity amount. However, the 3rd respondent failed to take any steps to settle the gratuity amount, and so the petitioner filed application under Section 7(4) of the Payment of Gratuity Act, 1972, before the Controlling Authority cum Labour Court Officer (Enforcement), Puducherry, claiming gratuity along with applicable interest. The petitioner states that the Controlling Authority cum Labour Officer, after conducting enquiry, passed an order on 20.07.2023, in G.A.No.45A of 2023, directing the 3rd respondent to pay gratuity amount of Rs.5,42,833/-, along with simple interest at 10% from 31.07.2021, till the date of payment. However, the 3rd respondent failed to comply with the order. On 25.04.2024, the Controlling Authority cum Labour Officer (Enforcement), Puducherry, issued recovery certificate under Section 8 of the Payment of Gratuity Act, with specific interest at 10% per annum for the period from 31.07.2021 to 20.07.2023, and compound interest at 15% for the subsequent period vide letter dated 29.05.2023, to the 1st respondent with further direction, to recover the



gratuity dues as arrears of land revenue. Pursuant to the recovery certificate, the

3rd respondent paid the principle amount of Rs.5,42,833/-, but failed to pay the applicable interest at 10% for the period from 31.07.2021 to 20.07.2023 and 15% compound interest for the subsequent period from 21.07.2023 to 21.03.2025. The petitioner states that interest amount calculated on the basis of the above order dated 20.07.2023, works out to Rs.2,69,268/-. Therefore, the petitioner submitted a representation on 17.07.2025, to the 1st respondent to initiate recovery proceedings for the aforesaid interest amount. However, since the 1st respondent did not take any positive steps on the petitioner's representation, the petitioner was constrained to file above writ petition for the aforesaid relief.

3. When the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents 2 and 3, on instructions submitted that the respondents are prepared to pay the interest amount Rs.2,69,268/- as per the award of the Controlling Authority cum Labour Officer (Enforcement), Puducherry, dated 20.07.2023, in two instalments. The learned Additional Government Pleader further stated that the first instalment would be paid on or before 30.11.2025, and the balance 50% on or before 30.03.2026.



4. The learned counsel for the petitioner consented to the proposal of the learned Additional Government Pleader.

5. Heard both sides.

6. In view of the consensus arrived at by the learned counsels, the following directions are issued.

i) The 3rd respondent shall pay 50% of the interest amount of Rs.2,69,268/-, as per award of the Controlling Authority cum Labour Officer (Enforcement) Puducherry, dated 20.07.2023, in G.A. 45A/2023 on or before 30.11.2025.

ii) The 3rd respondent shall pay the balance 50% on or before 30.01.2026.

iii) It is made clear that in case, the 3rd respondent defaults in the payment of any of the aforesaid instalments, the 1st respondent shall immediately initiate action under the Revenue Recovery Act, for recovery of the amounts.

Writ petition is disposed of with the above directions. However, there shall be no order as to costs.

dsn

26-09-2025

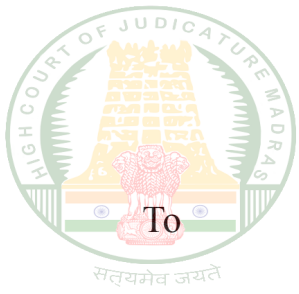
(1/3)

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

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- 3.The Managing Director,
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