



WEB COPY



W.P.No.46836 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.46836 of 2025
and W.M.P.No. 52282 of 2025

The Management of,
Sundram Fasteners Limited,
Harita, Hosur – 635 109.
Rep. by its Authorised Signatory.

... Petitioner

Vs

1. Deputy Commissioner of Labour,
Controlling Authority under
Payment of Gratuity Act, 1972,
Yercaud Main Road, Gorimedu,
Salem – 636 008.

2. R.Balasubramanian

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, forbearing the first respondent from proceeding any further in PG IA 281 of 2024 the claim raised by the second respondent for gratuity.

For Petitioner

: Mr.Anand Gopalan
for M/s.Advit Law Chambers



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ORDER

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This writ petition is filed for a mandamus forbearing the first respondent from proceeding any further in PG IA 281 of 2024 with respect to the claim raised by the second respondent for gratuity.

2. *Mr.Anand Gopalan*, the learned counsel appearing for the petitioner/ Management would submit that reading of the order passed by the Hon'ble Division bench of this Court in W.A.Nos.1059 & 1060 of 2014, would be very clear that sum of Rs.8,00,000/- was ordered to be paid by way of full and final settlement. Therefore, after receiving the sum of Rs.8,00,000/- no further claim in respect of gratuity can separately be maintained. When the said fact has been brought to the notice of the authority, even while resisting the condone delay application, the authority has proceeded further to decide the condone delay application and the delay is also now condoned and the main petition is continued. Therefore, the learned counsel appearing for the petitioner would pray that this Court should interdict in the matter and prohibit the authority from proceeding further.

3. It is settled law that a writ of prohibition would be issued only as an



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exception and that too when questions of jurisdiction are involved. This is a case, where the defence is taken on merits, that in view of the Hon'ble Division Bench order, nothing further needs to be payable to the workman. Therefore, it would be open for the management to take the said plea in the main petition which is now said to be pending on the file of the first respondent. It is for the first respondent to consider the same in accordance with law and pass orders on merits.

4. With the said liberty kept open, the writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. No Costs.

01.12.2025

Neutral Citation: Yes/No
nsl

To
The Deputy Commissioner of Labour,
Controlling Authority under
Payment of Gratuity Act, 1972,
Yercaud Main Road, Gorimedu,
Salem – 636 008.



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D.BHARATHA CHAKRAVARTHY, J.

nsI

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