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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.03.2025

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.34876 of 2018 & 2731 of 2020
and WMP.No.40426 & 40427 of 2018

The Management,

Salem Urban Co-operative Bank Ltd.,

25, First Agraharam,

Salem-636 001.

... Petitioners in both the petitions

Vs.

1. K.Munusamy

2. Controlling Authority,

Under Payment of Gratuity Act, 1972/

Assistant Commissioner of Labour, salem.

3. Appellate Authority

Under Payment of Gratuity Act, 1972/

Joint Commissioner of Labour,

Coimbatore.

....Respondents in W.P.No.34876 of 2018

K. Munusamy

... Respondent in W.P.No.2731 of 2020

Prayer in W.P.no.34876 of 2018: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, calling for the records of the 3rd respondent relating to the order dated 31.08.2018 in P.G.Case Appeal No.2/2018 confirming the order of the 2nd



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respondent dated 31.01.2017 passed in P.G.Case No.2/2018 confirming the order of the second respondent dated 31.01.2017 passed in P.G.Case No.169/2015 and quash the said orders.

Prayer in W.P.No.2731 of 2020: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, to call for the records relating to the order dated 12.10.2017 passed in C.P.No.21 of 2016 on the file of the Labour Court, Salem and quash the said order.

For Petitioner : Mr.P.Jagadeesan

For Respondents : Mr.S.Ravi for R1 in both the petitions

Mr.K.Surendran, AGP for RR2 & 3

in W.P.No.34876/2018

ORDER

Challenging the order passed by the Gratuity Authority in PG. No.2/2018 as well as the order in C.P.No.21/2016 passed by the Labour Court, Salem, the present writ petitions have been filed.

2. The learned counsel for the petitioner submitted that during pendency of this petition, the respondent workmen filed E.P. And recovered entire amount from the petitioner company and subsequently, the workmen was retired from service. Hence, no adjudication is necessary in these case and therefore, the prayer has become infructuous and the same may be



closed.

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3. Recording the above submission and endorsement made by the learned counsel for the petitioner, the writ petitions are dismissed as infructuous. Consequently, connected miscellaneous petitions are closed. No costs.

27.03.2025

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To

1. Controlling Authority,
Under Payment of Gratuity Act, 1972/
Assistant Commissioner of Labour, salem.

2. Appellate Authority
Under Payment of Gratuity Act, 1972/
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Coimbatore.



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M.DHANDAPANI,J.

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W.P.No.34876 of 2018 & 2731 of 2020

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