



W.P.(MD)No.2083 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.2083 of 2025
and
W.M.P.(MD)No.1469 of 2025

Arulmigu Thirucoutrallanathaswamy Temple,
Cotrallam, Tenkasi District,
Through its Assistant Commissioner/
Executive Officer.

... Petitioner

Vs.

1.The Assistant Commissioner Of Labour/
Controlling Authority Under Payment of
Gratuity Act 1972, Tirunelveli.

2.S.Pandian

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the impugned proceedings of the 1st Respondent in PG.137 of 2023 dated 06.09.2024 passed by the 1st respondent



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and quash the same as illegal, ultravires and against the principles of natural justice.

For Petitioner : Mr.S.Manohar

For Respondents : Mr.A.Baskaran,
Addl. Govt. Pleader for R1
Mr.S.Venkatesh for R2

ORDER

The learned counsel for the petitioner seeks permission of this Court to withdraw this Writ Petition with liberty to file an appeal against the impugned order dated 06.09.2024 before the appellate authority under the provisions of sub-Section (7) of Section 7 of the Payment of Gratuity Act, 1972.

2. In view of the same, this Writ Petition is dismissed as withdrawn with liberty as sought for. In case, if any appeal is filed against the impugned



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order, the period, during which this Writ Petition is pending from 30.12.2024 till the date of receipt of a copy of this order, shall stand excluded from computing the period of limitation. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

03.04.2025

Neutral Citation: Yes / No

Index : Yes / No

vsm

Note: Registry is directed to return the original impugned order to the learned counsel for the petitioner after obtaining necessary acknowledgment and issue the order copy on 04.04.2025

To

The Assistant Commissioner Of Labour/
Controlling Authority Under Payment of
Gratuity Act 1972, Tirunelveli.



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Today, this matter is listed under the caption “For Being Mentioned” and it is brought to the notice of this Court that the date mentioned in paragraph 2 of the order as 30.12.2024 is a typographical error and the actual date should be 22.01.2025.

2. This Court is satisfied that there is a typographical error and accordingly, the date mentioned in paragraph 2 of the order dated 03.04.2025 shall stand replaced with 22.01.2025, in the place of 30.12.2024.

3. Registry is directed to carryout necessary amendment in the order dated 03.04.2025 and issue the order copy afresh.

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