



**W.P.(MD)No.4581 of 2019**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 19.03.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

**W.P.(MD)No.4581 of 2019**  
**and W.M.P.(MD)No.3642 of 2019**

1.The Management,  
Ravi Ice Company, 96-C,  
Rajaji Road, Old Tharapuram Road,  
Palani, Dindigul District.

2.The Management,  
Sutharsan Soda Company,  
Opp. to Balaji Mill,  
Old Tharapuram Road,  
Palani, Dindigul District.

... Petitioners

**Vs.**

1.Appellate Authority Under Payment  
of Gratuity Act/ Joint Commissioner of Labour,  
Trichirapalli.

2.Controlling Authority Under  
The Payment of Gratuity Act/  
Assistant Commissioner of Labour,  
Dindigul.



**W.P.(MD)No.4581 of 2019**

WEB COPY 3.M.Ashok

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records relating to the impugned order dated 08.02.2018 made in P.G.A.S.No.132 of 2017 on the file of the Appellate Authority under Payment of Gratuity Act/Joint Commissioner of Labour, Tiruchirapalli, confirming the order dated 27.03.2017 made in P.G.No.247 of 2015 on the file of the controlling Authority under the Payment of Gratuity Act/Assistant Commissioner of Labour, Dindigul and quash the same.

For Petitioners : Mr.P.Thiyagarajan

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

### **ORDER**

This Writ Petition has been filed aggrieved by an order dated 08.02.2018 passed in P.G.A.S.No.132 of 2017. The said P.G.A.S.No.132 of 2017 was filed against the order passed by the respondent No.2 in P.G.No.247 of 2015 dated 27.03.2017. By virtue of the said order dated 27.03.2017, an amount of Rs.



**W.P.(MD)No.4581 of 2019**

1,63,558/- was directed to be paid to the respondent No.3 herein. Though an appeal was filed against the said order, the same was rejected by the respondent No.1 appellate authority.

2. It is the contention of the learned counsel for petitioners that respondent No.3 is reported dead as early as on 11.02.2023. It was thereafter, the matter was adjourned time and again to enable the petitioners to bring on record the legal representative of the deceased respondent No.3. In spite of the same, the petitioners could not take any such steps. Under those circumstances, this Court by order dated 26.02.2025, afforded final opportunity to the petitioners to take appropriate steps and passed the following docket order:

*“As early as on 11.02.2023, it was brought to the notice of this Court that respondent No.3 is no more. In spite of this matter being adjourned again and again, no steps have been taken so far to bring on record the legal representatives of the deceased respondent No.2. Hence, Writ Petition is abated by operation of law. However, considering the request of learned counsel for the petitioners, post on 19.03.2025, finally, for taking steps. If no steps are taken by the*



**W.P.(MD)No.4581 of 2019**

**WEB COPY** *date, this Court is left with no other option except to close the Writ  
Petition as abated."*

**3.** In spite of the same, no steps could be taken by the petitioners to bring on record the legal representatives of the deceased respondent No.3. Respondent No.3 is the only contesting respondent. Consequent upon the death of respondent No.3 and on the failure of the petitioners to bring on record the legal representative of deceased respondent No.3, this Writ Petition stood abated by operation of law against respondent No.3.

**4.** In the light of the above, this Court is left with no other option, except to dismiss the Writ Petition as abated. Accordingly, the same is dismissed as abated. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

**19.03.2025**

Neutral Citation: Yes / No  
Index : Yes / No  
vsm



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**W.P.(MD)No.4581 of 2019**

**MUMMINENI SUDHEER KUMAR, J.**

vsm

**W.P.(MD)No.4581 of 2019**

**19.03.2025**

**Page 6 of 6**