



W.P.(MD).No.15431 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.15431 of 2025

and

W.M.P(MD) No.11664 of 2025

The Secretary,
S-616, T.Nelmudikarai Primary
Agriculture Co-operative
Credit Society,
Thirupuvanam Taluk,
Sivagangai District.

... Petitioner

Vs.

1. The District Collector,
Sivagangai District.
2. The Tahsildar,
Thirupuvanam.
3. The Deputy Commissioner of Labour,
Race Course Colony,
Madurai – 625 002.
4. A.Ramachandran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in P.G.No.241 of 2019, dated



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24.08.2022 on the file of the Deputy Commissioner of Labour, Madurai and the consequent impugned order in Na.Ka.P3.9086-2025, dated 17.04.2025 on the file of the District Collector, Sivagangai and quash the same as illegal and consequently direct the respondents to allow the petitioner Society to pay initially an amount of Rs.50,000/- and pay the balance amount of Rs.4,51,355/- in 36 equal instalments of Rs.12,500/- each.

For Petitioner : Mr.T.Joshua

For R1 to R3 : Mrs.D.Farjana Ghoushia
Special Government Pleader

ORDER

The present Writ Petition has been filed challenging the order passed by the third respondent herein, who is the original authority under the Payment of Gratuity Act, 1972, as well as the consequential order passed by the first respondent herein seeking to initiate revenue recovery proceedings to implement the award passed by the third respondent.

2. As against the order of the third respondent, a statutory appeal remedy is available, as contemplated under Section 7(7) of the Payment of Gratuity Act, 1972.



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3. In such circumstances, this Court is not inclined to entertain the writ petition. In case, if a statutory appeal is filed by the petitioner, the limitation period between 04.06.2025 and the date of receipt of a copy of this order, shall stand excluded.

4. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

06.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Note:

Registry is directed to return the original impugned order to the petitioner after getting necessary endorsement after retaining a copy of the same for record.



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- To
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R.VIJAYAKUMAR,J.

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