



WP.(MD)No.18009 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.10.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.18009 of 2021
and WMP.(MD)No.14878 of 2021

Subramani

... Petitioner

Vs.

- 1.Additional Labour Commissioner
(Appellate Authority under the Payment of Gratuity Act, 1972)
Office of the Joint Commissioner of Labour,
Sengulam Colony, Ramakrishna Nagar,
Sangiliyandapuram, Trichy.
- 2.The Assistant Commissioner of Labour,
(Controlling Authority under the Payment of Gratuity Act, 1972)
Officer of the Assistant Commissioner of Labour,
No.84, 1st Street, Vallalar Nagar, Nehruji Nagar,
Dindigul.
- 3.Vaiyapuri
- 4.Nachammal,
W/o.Vaiyapuri,
No5/53, Tirumudigoundanur,
Vellianai(north),
Chellandipatti, Karur-639118.



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5.Thanam,
W/o Karuppaiyah,
Mamarathupatti,
Velliyanai South,
Velliyanai, Karur-639118.

6.Puthiyavan, S/o.Vaiyapuri,
5/53, Tirumudigoundanur,
Vellianai North, Karur-639118.

... Respondents

(R4 to R6 *suo motu* impleaded as per order dated 27.10.2025 in WP.
(MD)No.18009 of 2021)

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed in Na.Ka.No.Aa/1827/2021 dated 13.09.2021 on the file of the first respondent and quash the same consequently direct the first respondent to entertain the appeal filed by the petitioner under Section 7(7) of the Gratuity Act, 1972.

For Petitioner	: Mr.D.S.Haroon Rasheed
For R1 & R2	: Mr.C.Venkatesh Kumar, Special Government Pleader.
For R3 to R6	: Mr.V.Nagarajan



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ORDER

The President of Velliyanai Panchayat, Karur District has preferred this writ petition as against the order of the first respondent/Appellate authority under the Payment of Gratuity Act, 1972 [hereinafter referred as 'the Act'].

2.The third respondent, an employee of Velliyanai Panchayat, has filed a claim application in PG.No.158 of 2016 before the second respondent and the same was allowed, by an order dated 21.08.2017. As against which, the Panchayat has preferred an appeal on 31.08.2021, after a period of four years. Considering the period of limitation provided under the Act, the first respondent has returned the same. Aggrieved by the same, the present writ petition has been filed.

3.It is reported that pending writ petition the third respondent died. The learned counsel for the third respondent has



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also produced the death certificate and legal heir certificate.

Therefore, this Court *suo motu* impleads the legal heirs of the third respondent, namely, 1) Nachammal, W/o. Vaiyapuri, No5/53, Tirumudigoundanur, Vellianai(north), Chellandipatti, Karur-639118, 2) Thanam, W/o Karuppaiyah, Mamarathupatti, Velliyanai South, Velliyanai, Karur-639118 and 3) Puthiyavan, S/o. Vaiyapuri, 5/53, Tirumudigoundanur, Vellianai North, Karur-639118 as respondents 4 to 6 to this writ petition.

4. Section 7(7) of the Act prescribes time limitation of 60 days for preferring the appeal as against the order passed by the authority under the Act. It is relevant to extract Section 7(7) of the Act as under:-

“7(7) Any person aggrieved by an order under sub-section (4) may, within sixty days from the date of the receipt of the order, prefer an appeal to the appropriate Government or such other authority as may be specified by the appropriate Government in this behalf.”



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5. In view of the specific provision, this Court is of the view that there is no error in the impugned order dated 13.09.2021. Therefore, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27.10.2025

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