



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 24.06.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.23179 of 2019

1.V.Chandra (Died)

2.Sounder

(P2 is impleaded vide Court order dated 26.03.2025 in

W.M.P.(MD)No.20891 of 2022 in W.P(MD)No.23179 of 2019)

...Petitioners

Vs

1.The District Collector,
Madurai District.

2.The Controlling Authority under Payment of Gratuity Act,
Deputy Commissioner of Labour,
Madurai.

3.The Management,
A-2582, Madurai City Co-operative Housing Society Limited,
Ramamoorthy Nilayam,
Plot No.48, K.K.Nagar,
Madurai - 625 020.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a **Writ of Mandamus** to direct the 1st respondent to take action under the Revenue Recovery Act as against the third respondent within a stipulated period as fixed by this Court towards the payment of gratuity to the petitioner's deceased husband as determined by the second respondent in P.G.Case No.105 of 2017 dated 22.2.2018.



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For Petitioner : M/s.K.Vamanan

For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader
for R1 to R3

* * * * *

ORDER

The legal heir of the beneficiary of an order passed by the second respondent in P.G.No.105 of 2017, dated 22.02.2018, has filed the present writ petition seeking a mandamus against the first respondent to initiate revenue recovery proceedings as against the third respondent.

2.The second respondent herein has passed an order on 22.02.2018, directing the third respondent to pay a sum of Rs.2,10,222/- as gratuity. Since the order has not been complied by the third respondent, beneficiary of the said order has filed the present writ petition seeking a mandamus as against the first respondent to invoke revenue recovery proceedings.

3.Pending writ petition, the third respondent, which is a Co-operative Society has deposited the principal amount, namely, Rs.2,10,222/- on the file of the second respondent. Considering the paucity of funds, the third respondent Management seeks 6(six) months time to deposit the interest portion.



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4. Considering the above said facts, this Court is inclined to pass the following orders:-

*i) The second respondent is directed to permit the second petitioner to withdraw a sum of **Rs.2,10,222/- (Rupees Two Lakhs Ten Thousand Two Hundred and Twenty Two)** which was deposited by the third respondent Management;*

*ii) The interest portion shall be deposited by the third respondent Management **on or before 31.10.2025**. On such deposit, the petitioner shall be permitted to withdraw; and*

iii) In case, if such deposit is not made on or before 31.10.2025, the first respondent is directed to initiate revenue recovery proceedings.

5. With the above said directions, this Writ Petition stands disposed of.

No costs.

24.06.2025

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



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R.VIJAYAKUMAR, J.

RJR

To

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