



W.P.(MD) No.27454 of 2022

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

**DATED : 01.04.2025**

**CORAM**

**THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR**

W.P.(MD) No.27454 of 2022

and

W.M.P.(MD) No.21555 of 2022

The Management,  
A.307, Karattupatti Primary Agricultural  
Cooperative Society,  
By its President,  
Karattupatti, Melanatchikulam Post,  
Vadipatti Taluk, Madurai District.

... Petitioner

Vs.

1.R.Pandiyan  
  
2.The Deputy Commissioner of Labour,  
Controlling Authority under  
Payment of Gratuity Act,  
Integrated Labour Department Campus,  
Bharathi Ulla Salai, Race Course Colony,  
Near Thamaraithotti, Madurai-02.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records in P.G.No.20 of 2021 on the file of the 2<sup>nd</sup> respondent dated 30.05.2022 and quash the same.



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For Petitioner : Mr.S.Kumar  
For Respondents : Mr.T.Ravichandran – for R1  
: R2 – Controlling Authority

ORDER

Though this Writ Petition has been filed questioning the order dated 30.05.2022 passed in P.G.No.20 of 2021, this Court has granted an order of interim stay as early as on 2<sup>nd</sup> December, 2022. It is brought to the notice of this Court by the learned counsel appearing for the petitioner that the petitioner is ready to pay the amounts due under the impugned order in installments and has already started paying the same in installments at the rate of Rs.5,000/- (Five Thousand Rupees only) per month.

2. According to the learned counsel for the petitioner, the Respondent No.1 had also agreed to receive the amount in installments.

3. If that be the case, there is no need to examine the matter on merits. Further as against the impugned order, the petitioner also has an efficacious alternate remedy of appeal under Section 7(7) of the Payment of



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Gratuity Act, 1972, by depositing the entire amount due under the impugned order. But for the reasons best known, the petitioner herein instead of availing the remedy as provided under the statute, approached this Court. For this reason also, this writ petition cannot be entertained.

4. Accordingly, this Writ Petition is dismissed. However, it is left open for the petitioner to enter into an agreement with Respondent No.1 in the matter of payment of gratuity due under the impugned order. The Respondent No.1 is also at liberty to take appropriate course of action for recovery of the amount due under the impugned order. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**01.04.2025**

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

ABR



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**MUMMINENI SUDHEER KUMAR, J.**

ABR

To

The Deputy Commissioner of Labour,  
Controlling Authority under  
Payment of Gratuity Act,  
Integrated Labour Department Campus,  
Bharathi Ulla Salai, Race Course Colony,  
Near Thamaraitthotti, Madurai-02.

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**01.04.2025**