



W.P.(MD)Nos.10631 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.10631 of 2017

D.Easwaramoorthy

... Petitioner

Vs.

1.The Presiding Officer,
Labour Court, Tirunelveli.

2.Helina Shyra Biju

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records on the file of the 1st Respondent pertaining to the proceedings in I.D.No.63 of 2016 dated 15.02.2017 in respect of petition filed under section 2(A) (2) of the Industrial Dispute Act, 1947 and to quash the same and consequently direct the 2nd Respondent to reinstate the Petitioner with continuity of service and back wages.



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For Petitioner : Mr.K.Sudalaiyandi

For Respondents : Mr.K.Gokul for R2

No Appearance for R1

ORDER

Though this Writ Petition has been filed challenging the award dated 15.02.2017 passed in I.D.No.63 of 2016, the learned counsel for the petitioner submitted that the petitioner is restricted his claim only for payment of gratuity for the service rendered by the petitioner as he was not paid gratuity so far.

2. In view of the same, there is no necessity to examine the validity of the impugned award and insofar as the claim of the petitioner for payment of gratuity is concerned, the same also cannot be adjudicated by this Court and it is always open to the petitioner to approach the controlling authority under the Payment of Gratuity Act, 1972 and make claim in accordance with law. While



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granting liberty to the petitioner to pursue the remedy under the provision of Payment of Gratuity Act, 1972 this Writ Petition is dismissed. There shall be no order as to costs.

10.02.2025

Neutral Citation: Yes / No
Index : Yes / No

vsm

To

The Presiding Officer,
Labour Court, Tirunelveli.



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MUMMINENI SUDHEER KUMAR, J.

vsm

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