



WP No. 7164 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 7164 of 2026

K.Yagna Prabha

...Petitioner

Vs

1. 1. The District Collector,
Government of Puducherry,
Puducherry.
- 2 2. The Dean,
M/s.Mother Theresa Post Graduate and Research
Institute of Health Sciences,
Gorimedu, Indra Nagar,
Puducherry-605 006.

...Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to forthwith initiate and complete recovery proceedings under Section 8 of the Payment of Gratuity Act, 1972, on the basis of the Recovery Certificate dated 30.03.2022 issued in G.A.No.69 of 2021 and communicated vide letter dated 29.05.2023 and consequently, recover the gratuity amount of Rs.17,96,985/- along with statutory interest and disburse the same to the petitioner and other legal heirs of late T.E.Jeevanandam within a time frame to be fixed by this Court.



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For Petitioner : Mr.R.Saravanan

For Respondents : Mr.R.Sreedhar
Additional Government Pleader (P)

ORDER

This Writ Petition has been filed to direct the first respondent to forthwith initiate and complete recovery proceedings under Section 8 of the Payment of Gratuity Act, 1972, on the basis of the Recovery Certificate dated 30.03.2022 issued in G.A.No.69 of 2021 and communicated vide letter dated 29.05.2023 and consequently, recover the gratuity amount of Rs.17,96,985/- along with statutory interest and disburse the same to the petitioner and other legal heirs of late T.E.Jeevanandam within a time frame fixed by this Court.

2. The petitioner's husband, namely, T.E.Jeevanandam, was working as Lecturer in Physiology in the second respondent Institution and he died in harness while in service. An application was filed before the Controlling Authority under the Payment of Gratuity Act, 1972, by the petitioner. The Controlling Authority passed an order dated 30.03.2022 in G.A.No.69 of 2021 directing the second respondent to pay the gratuity of Rs.17,96,985/- with interest. Since the second respondent failed to comply with the said order, a



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Recovery Certificate was issued by the Controlling Authority under Section 8 of the Payment of Gratuity Act, 1972, and the same was forwarded to the first respondent for recovery of the gratuity dues as arrears of land revenue vide letter 29.05.2025. However, till date, the first respondent, namely, the District Collector, Puducherry, has not enforced the said Recovery Certificate. Hence, the petitioner is required to file this writ petition seeking direction to the first respondent to forthwith initiate and complete recovery proceedings under Section 8 of the Payment of Gratuity Act on the basis of the Recovery Certificate dated 30.03.2022 issued in G.A.No.69 of 2021 and communicated vide letter dated 29.05.2023.

3. The learned counsel appearing for the petitioner submitted that the first respondent has failed to initiate any coercive recovery proceedings against the second respondent and the inaction on the part of the first respondent had resulted in grave prejudice and financial hardship to the legal heirs of the deceased employee and therefore, the petitioner is before this Court and prays for appropriate orders.



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4. The Additional Government Pleader appearing for the first respondent submitted that the order passed by the Controlling Authority as well as the Recovery Certificate issued under Section 8 of the Payment of Gratuity Act, 1972, will be duly implemented by the first respondent within a reasonable time.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent. Since no adverse order is going to be passed against the second respondent, notice to the second respondent is dispensed with.

6. In view of the aforesaid submission made by the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent, this Court, without going into the merits of the case, directs the first respondent to implement the Recovery Certificate dated 30.03.2022 issued by the Controlling Authority under Section 8 of Payment of Gratuity Act within a period of 12 weeks from the date of receipt of a copy of this order.



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7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

ssb



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To

1. The District Collector,
Government of Puducherry,
Puducherry.

2. The Dean,
M/s.Mother Theresa Post Graduate and Research Institute of Health Sciences,
Gorimedu, Indra Nagar,
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M.DHANDAPANI, J.

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