



WEB COPY

WP No. 10247 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

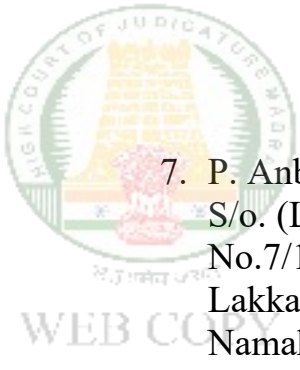
THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 10247 of 2026

and

WMP No.11105 of 2026

1. K.Natarajan
S/o. (Late) Karuppanna Pillai,
D.No.385, Bharathi Nagar,
Mohanur, Namakkal 637 015.
2. R. Raju,
S/o. (Late) Rangasamy,
No.1/196, Kattu Pillaiyar Kovil,
Rasipalayam, Mohanur,
Namakkal 637 015.
3. Chellappan,
S/o. (Late) Kannappan,
No.3/101, Sevaanthampalayam,
Arasandagam Post, Mohanur,
Namakkal 637 020.
4. Gunasekaran,
S/o. (Late) Veeran,
No.11/78, Sellipalayam, Oruvandur Post,
Mohanur Taluk, Namakkal 637 015
5. Ponnusamy,
S/o. (Late) Arunachala Gounder,
No.8/12, C. Muthoor, S. Vazgavandhi Post,
Peramandampalayam, Paramathi-Vellore,
Namakkal 637 017
6. P. Vadivel,
S/o. (Late) Palanisamy,
No.1/11, Manappalli, Sarkar Manappalli,
Palapatti Via, Mohanur Taluk,
Namakkal 637 017.



7. P. Anbazhagan
S/o. (Late) Palanisamy,
No.7/126, A Kuditheru,
Lakkampalayam, Pothupatti Post,
Namakkal - 637 003.
8. O. Rajagopal,
S/o. (Late) Omandur,
No.40, Pallar Street, Oruvandur,
Mohanur Taluk, Namakkal 637 015.
9. Tmt. N. Santhi
D/o. (Late) Natarajan,
No.138, Muthuraja Street,
Mohanur, Namakkal 637 015.
- 10.V. Manoharan,
S/o. (Late) Veeramalai,
D.No.7/20, South Street, Mohanur,
Namakkal 637 015.
- 11.A. Kesavan
S/o. (Late) Arumugam,
D.No.1/23, Pettapalayam,
Namakkal 637 015.
- 12.P. Ponnusamy,
S/o. (Late) Periyasamy,
E 1/12, Eellaikattur, Puthur,
Agrahara Manappalli, Manappalli,
Namakkal 637 017.
- 13.Palaniappan,
S/o. (Late) Peramanda Mudaliar,
D.No.32/1, Chozhiya Mudaliar Street,
Mohanur, Namakkal 637 015.
- 14.R. Duraisamy
S/o. (Late) Raman,
D.No.2/99, Sankarampalayam,
Kumaripalayam Post,
Namakkal 637 015.



- 15.M. Vetrivel,
S/o. (Late) Murugesan,
D.No.2/230, A-7C, Indra Nagar,
Mohanur, Namakkal 637 015.
- 16.T. Sarathkumar
S/o. (late) Thiyagarajan,
Kuduthurai, Kudi Theru,
Olapalayam, Punjai Idayar,
Keelmugam, Mohanur,
Namakkal 638 182.
- 17.A. Sundaresan
S/o, (Late) Ayyasamy,
No.770, A, Rasikumaripalayam,
Mohanur, Namakkal 637 015
- 18.P. Mohanraj
S/o. (Late) Periyasamy,
No.19, North Street, Arur Post,
Valaiyapatti Via, Mohanur,
Namakkal 637 020.
- 19.M. Mathialagan,
S/o. (Late) Muthusamy,
No.4/87, Kirayur, Mohanur Post,
Namakkal 637 015
- 20.G. Sankaranarayanan
S/o. (Late) Ganapathi,
No.2/94, North Street, Alagappapuram,
Angamangalam, Kurumbur,
Thoothukudi.
- 21.K. Navaladi Subramani
S/o. (Late) Kaveri,
No.2, Chetty Street, Mohanur Post,
Namakkal 637 015
- 22.Tmt. Kondammal,
W/o. (Late) Raman,
No.3/169, Kadakkalpudur, Parali,
Namakkal 637 015



23. Vengadasalam,
S/o. (Late) Raman,
No.3/169, Kadakkalpudur, Parali,
Namakkal 637 015.
24. Prabhu,
S/o. (Late) Raman,
No.3/169, Kadakkalpudur, Parali,
Namakkal 637 015.
25. Tmt. Angayi,
W/o. (Late) Kandasamy,
No.2/174, Sankarampalayam Colony,
Kumaripalayam Post,
Namakkal 637 015.
26. Sakthivel,
S/o. (Late) Kandasamy,
No.2/174, Sankarampalayam Colony,
Kumaripalayam Post,
Namakkal 637 015.
27. Tmt. Anandhi
D/o. (Late) Kandasamy,
No.2/174, Sankarampalayam Colony,
Kumaripalayam Post,
Namakkal 637 015.

..Petitioner(s)

Vs

1. The District Collector
Namakkal District,
Trichy Road, Namakkal 637 001.
2. Tahsildar,
Mohanur Taluk,
Namakkal District.
3. The Management of Salem Co.Operative
Sugar Mills Ltd.,
Rep. by its Special Officer,
Moganur, Namakkal 637 015.



4. The Controlling Authority under the
Payment of Gratuity Act, 1972 and the
Deputy Commissioner of Labour,
O/o. Joint Commissioner of Labour,
Erode 638 009

..Respondent(s)

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India praying to issue a writ of mandamus directing the 1st Respondent to recover the gratuity amount payable to the Petitioners herein along with compound interest at 15 percentage from the date it became payable to the Petitioners as per the Certificate issued by the 4th Respondent bearing Na.Ka.No.E1/R.R.01/ 2025 dated 02.07.2025 pursuant to the common order dated 29.04.2024 in P.G. Case Nos.53/2022, 54/2022, 858/2022, 139 to 153/2023, 206 to 210/2023 issued by the 4th Respondent within a time frame.

For Petitioner(s): Mr.Ramesh, Senior Counsel
for Mr.V.Subramani

For Respondent(s): Mr.R.V.Dinesh Rajkumar, AGP For R1-2

ORDER

The petitioners seeks a mandamus directing the respondents 1 and 2 to recover the gratuity amount payable to the petitioners with compound interest of 15% from the date it became payable as per the certificate issued by the fourth respondent dated 02.07.2025. The recovery certificate was issued pursuant to the common order dated 29.04.2024 in P.G.Case Nos.53/2022, 54/2022, 858/2022, 139 to 153/2023, 206 to 210/2023.



2. The brief facts which are culminated in the filing of this writ petition are set out below:

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2.1. It is the case of the petitioners that the petitioners were working in the third respondent Sugar Mill and retired from service. Since the third respondent had failed to pay their gratuity amount on their retirement, the petitioners filed applications before the fourth respondent in P.G.Case Nos.53/2022, 54/2022, 858/2022, 139 to 153/2023, 206 to 210/2023. After conducting an enquiry, by a common order dated 29.04.2024, the fourth respondent has held that the petitioners are entitled to amount of gratuity and the third respondent was directed to pay the gratuity amount along with 10% interest.

2.2.As against the said order, the third respondent had preferred an appeal without depositing the amount computed as gratuity. Therefore, the appeal is returned by the appellate authority. The third respondent management have not chosen to comply with the order of the fourth respondent and therefore, the order of the fourth respondent attained finality. Despite getting the order, the third respondent has not paid the amount, therefore, the petitioners approached the fourth respondent who have issued certificate for recovering the gratuity under Revenue Recovery Proceedings. The fourth respondent had also issued certificate dated 31.07.2024 pursuant to which, the petitioners had approached



the District Collector, Namakkal District, to recover the gratuity by initiating the Revenue Recovery Proceedings. Though the first respondent had directed the second respondent to take steps to recover the gratuity amount, the respondents are not proceeding to give effect to the certificate. The petitioners apprehend that the Personal Assistant to the first respondent is the Managing Director of the third respondent and is therefore, exerting pressure on the respondents not to give effect to the recovery certificate. Aggrieved by the same, the petitioners are before this Court.

3. Per contra, the learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the respondents are proposing to challenge the order passed by the fourth respondent.

4. Heard the learned Counsel on either side and perused the materials available on records.

5. The records would indicate that the third respondent had already filed an appeal which was not proceeded on account of the failure of depositing the gratuity amount. Be that as it may, an award had been passed by the fourth respondent as early as on 29.04.2024 directing the third respondent to pay the gratuity amount and recovery certificate had been issued on 14.02.2025 to pay the petitioners who worked in the third respondent sugar mill and who had



attained superannuation and yet to see the colour of the coin.

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Therefore, the writ petition is allowed as prayed for. Connected miscellaneous petition is closed. No costs. It is needless to state that it is subject to the result of any appeal that is to be filed.

25-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
ssa

To
1.The District Collector
Namakkal District,
Trichy Road, Namakkal 637 001.

2.Tahsildar,
Mohanur Taluk,
Namakkal District.

3.Special Officer,
The Management of Salem Co.Operative
Sugar Mills Ltd.,
Moganur, Namakkal 637 015.

4.The Controlling Authority under the
Payment of Gratuity Act, 1972 and the
Deputy Commissioner of Labour,
O/o. Joint Commissioner of Labour,
Erode 638 009.



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P.T.ASHA, J.

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