Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 24823 of 2022

CNR:{HCMA010951442022}

G.Srinivasan B.E. (Elecl)
LLB Advocate
Flat-F, Vijaya Sangamam
No. 12 6th Main road Nanganallur
Chennai 600 061

..Petitioner

Vs

1. Union of India
   Ministry of Labour
   Represented by Secretary
   Shram Shakti Bhawan
   Rafi Marg New Delhi 110 001

2. The Dy. Chief Labour Commissioner (Central)
   5th Floor Shastri Bhawan
   Chennai 600 006

3. The CMD
   NTPC Limited NTPC Bhawan
   Core 7 Scope Complex
   Lodhi Road New Delhi 110 007

4. The Director (HR)
   NTPC Limited Bhawan
   Core 7 Scope Complex
   Lodhi Road New Delhi 110 007

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondent 3 and Respondent 4 that the petitioner is paid the Remaining Gratuity amount of Rs.51,56,786/- along with the compensation by way of compound interest at 10 percentage on arrears of

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Gratuity payable w.e.f his date of entitlement at 1.3.2018 based o the last drawn salary drawn by the petitioner till the date of final settlement.

For Petitioner:	G.Srinivasan B.E. (ELECL) LLB Advocate (P-in-P)
For R3 and R4:	Mr.C.Mohan for A.Rexy Josephine Mary M/s.King and Partridge
For R1 and R2:	No appearance

ORDER

The present writ petition has been filed seeking a Writ of mandamus directing the respondents 3 and 4 to pay the remaining gratuity amount of Rs.51,56,786/- to the petitioner.

2. The petitioner, appearing in person, in all fairness submitted that a similar claim was already preferred before the Appellate Authority under the Payment of Gratuity Act. However, the Authority rejected his request vide order dated 13.04.2022. It is his submission that such order is in contravention of the order of this Court in W.P. No. 25548 of 2023 dated 06.11.2025.

3. Though the petitioner in person would contend so, while looking at the prayer, it reveals that he has not challenged the order passed by the Appellate Authority under the payment of Gratuity Act. Therefore, having not challenged

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the order rejecting the petitioner's claim for the remaining gratuity, the petitioner cannot seek for mandamus.

4. At this juncture, The petitioner, appearing in person, sought leave to file a fresh writ petition challenging the order passed by the Appellate Authority under the Payment of Gratuity Act, 1972.

5. In view of the above submissions, the present writ petition is dismissed. However, the petitioner is given liberty to file a fresh writ petition against the order of the Appellate Authority under the Payment of Gratuity Act dated 13.04.2022. It is made clear that the petitioner is at liberty to raise all grounds and defences in the fresh writ petition, that have been raised in the present writ petition.

6. Accordingly, this Writ Petition stands dismissed. No costs.

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

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C.KUMARAPPAN J.

SHL

To:

1. Union of India
   Ministry of Labour
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