



WEB COPY

WP No. 18678 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-03-2026

CORAM

THE HONOURABLE MR.JUSTICE T. VINOD KUMAR

**WP No.18678 of 2022 and
WMP No.18026 & 18027 of 2022**

The Managing Director,
Dharmapuri District Co-operative
Sugar Mills Ltd.,
Jerthalav Post, Palacode Taluk,
Dharmapuri District - 636 808.

Petitioner

Vs

1. The Appellate Authority
/ Additional Commissioner of Labour,
(Appellate Authority under the Payment
of Gratuity Act 1972)
Coimbatore – 18.

2.The Controlling Authority,
under the payment of Gratuity Act 1972,
Office of the Joint Commissioner of Labour,
Salem.

3.K.Rajagopal

Respondents

PRAYER Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order, dated 19.10.2020 passed in A.Thi.Mu.No. 2669/2020 on the file of the 1st Respondent and quash the same and further direct the 1st Respondent / Appellate Authority under the payment of Gratuity



Act, 1972 (hereinafter referred as 'the Act') to entertain the appeal filed by the petitioner / Appellant against the order passed by the 2nd Respondent, Controlling Authority under the Act in the order dated 18.02.2020 in P.G.No.85/2019 without insisting upon the pre-deposit of the computed gratuity amount payable to the 3rd Respondent herein, in terms of Section 7 of the Act.

For Petitioner: Mr.R.Balaramesh

For Respondents: Mr.L.S.M.Hasan Fizal,
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

2. The present writ petition is filed at the behest of the Dharmapuri District Co-operative Sugar Mills Limited, Dharmapuri by the Managing Director, assailing the action of the Appellate Authority / Additional Commissioner of Labour, Coimbatore, in passing the impugned order dated 19.10.2020, directing the 2nd respondent to entertain the appeal filed by the 3rd respondent herein against the order dated 18.02.2020 without insisting upon pre-deposit of the computed gratuity amount payable to the 3rd respondent herein in terms of Section 7 of the Payment of Gratuity Act, 1972.



3. On 11.03.2026, when the writ petition was listed for hearing, Mr.R.Balaramesh, learned counsel appearing for the petitioner submitted to this Court that the issue involved in the present writ petition appears to be covered by a decision of this Court and sought time to place on record a copy of the order and hence the matter was adjourned.

4. Today when the matter is listed, the learned counsel for the petitioner has placed before this Court an order dated 12.09.2023 in W.P.No.18381 of 2022 batch, wherein this Court had an occasion to consider a relief similar to the one sought for in the present writ petition.

5. The learned counsel for the petitioner by placing the order passed by the Coordinate Bench of this Court, dated 12.09.2023, submits that since the issue stands covered by the aforesaid order, the present petition may not call for further adjudication.

6. The learned Additional Government Pleader appearing for the respondents submits that this Court in the aforesaid decision placed by the learned counsel for the petitioner, had considered the scope of Section 7 of the Payment of Gratuity Act, 1972 in detail and dismissed the writ petition filed by the petitioner herein itself. The learned Additional Government Pleader thus submit that the present writ petition has to fail.



7. I have taken note of the aforesaid submissions.

8. Since the issue involved in the present writ petition is covered against the petitioner by the decision of the coordinate bench of this Court dated 12.09.2023, the present writ petition has to fail. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

25-03-2026

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To

1. The Appellate Authority
/ Additional Commissioner of Labour,
(Appellate Authority under the payment
of Gratuity Act 1972) Coimbatore 18

2. The Controlling Authority
under the payment of Gratuity Act
1972, Office of the Joint Commissioner
of Labour, Salem

3. K. Rajagopal
S/o. Kaaliyappan Late. Jamma Halli
Village and post, Pappireddypatti Taluk,
Dharmapuri District 636 904



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