



W.P.Nos.21398, 21585, 21597, 21602, 21612,  
21652, 21657, 21666 and 21690 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 25.03.2026**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.Nos.21398, 21585, 21597, 21602, 21612,  
21652, 21657, 21666 and 21690 of 2025**

**And**

**W.M.P.Nos.24147, 24149, 24347, 24357, 24359,  
24365, 24367, 24381, 24386, 24439, 24440,  
24441, 24442, 24451, 24452 and 24479 of 2025**

M/s.Maduranthagam Co-operative Sugar Mills Limited,  
Rep. by its Administrator,  
Having Office at Padalam Post,  
Maduranthagam Taluk,  
Chengalpattu District. ... Petitioner in all the W.Ps.

**Vs.**

1.The Deputy Commissioner of Labour,  
(Controlling Authority under the Payment of  
Gratuity Act, 1972) (DCL-2)  
D.M.S.Compound,  
Teynampet,  
Chennai – 6. ... Respondent in W.Ps.21398,  
21585, 21602, 21652, 21657 &  
21666/2025

1.The Deputy Commissioner of Labour,  
(Controlling Authority under the Payment of  
Gratuity Act, 1972)  
Tamil Nadu Labour Welfare Board Building – 2  
D.M.S.Compound,  
Teynampet,  
Chennai – 6. ... Respondent in W.P.21597,  
21612 & 21690/2025



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|                   |                                  |
|-------------------|----------------------------------|
| 2.R.Gnanaprakasam | ... Respondent in W.P.21398/2025 |
| 2.C.Arumugam      | ... Respondent in W.P.21585/2025 |
| 2.S.Dharani       | ... Respondent in W.P.21597/2025 |
| 2.A.Perumal       | ... Respondent in W.P.21602/2025 |
| 2.V.Kakkan        | ... Respondent in W.P.21612/2025 |
| 2.S.Rajendiran    | ... Respondent in W.P.21652/2025 |
| 2.J.Mani          | ... Respondent in W.P.21657/2025 |
| 2.E.Mohan         | ... Respondent in W.P.21666/2025 |
| 2.Vasu            | ... Respondent in W.P.21690/2025 |

### **Common Prayer:**

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the order of the first respondent dated 15.07.2024 made in P.G.Nos.80/2022, 45/2022, 03/2023, 82/2022, 06/2023, 81/2022, 240/2022, 83/2022 and 173/2022 respectively, on the ground of jurisdictional facts in terms of Sections 79 and 153 of the Tamil Nadu Co-operative Societies Act, 1983 and quash the same.

For Petitioner : Mr.Haja Nazurideen  
Additional Advocate General - III  
Assisted By  
Mr.P.Haribabu  
Government Advocate

For Respondents : Mr.M.Rajendiran for R1  
Additional Government Pleader  
Mr.P.B.Suresh Babu for R2

### **COMMON ORDER**

Since the issue involved in the above writ petitions are one



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and the same they are disposed of by way of this common order.

2. The case of the petitioner is that the petitioner sugar mill is a Co-operative Sugar Society registered under the Tamil Nadu Cooperative Societies Act, 1983. It was established for the welfare of the Farmers/Sugar Cane Growers located in and around Maduranthagam area and the area of operation of the Society is restricted to the entire Taluks of Chengalpattu District and Uthiramerur, Kanchipuram District. The respective private respondents in respective writ petitions were engaged in Non Muster Role in the petitioner Sugar Mill and were relieved on various dates on attaining the age of superannuation on payment of terminal benefits including gratuity. Thereafter, the manufacture of sugar has dwindled in quantity in downward trend from the year 1995. Thereby, the petitioner sugar mill remained closed from April, 2001 to January 2012. Further the NMRs and cane farm labourers were never in continuous service till they were absorbed as permanent employees in terms of Section 2-A of Payment of Gratuity Act, 1972. Seeking to release the gratuity till April 2017, the respective private respondents



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in respective writ petitions have filed application before the first respondent and the first respondent without taking into consideration the nature of employment of the respective private respondents had allowed the application filed by the respective private respondents. Challenging the same the present writ petitions have been filed.

3. The learned Additional Advocate General for the petitioner submits that admittedly the claim of gratuity when the mill suspended its operation is fallacious in view of the fact that the petitioner Mill was closed on account of various factors during the period 2001 and was revived only during 2011 pursuant to the G.O.(Ms).No.110 Industries (MIC.1) Department dated 07.08.2010. When the petitioner sugar mill was under closure during which period the respective private respondents have no locus standi to claim gratuity. Hence, this Court may modify the order passed by the first respondent by directing the petitioner to pay the gratuity amount except for the closure period ie., from 2001 to 2010.

4.The learned counsel appearing for the employee submitted that the petitioner claim that the Mill was closed from 2001 to 2010, if



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it is so, it is only lay off and the private respondents are entitled for gratuity during the lay off period and hence the grievance expressed by the learned Additional Advocate General is mis-conceived.

5. Heard the learned counsel appearing on either side and perused the materials placed on record.

6. In the light of the above submissions, this Court without interfering with the orders impugned directs the petitioner to pay the gratuity as ordered by the first respondent in favour of the respective private respondents from the date of initial employment till the date of gratuity application except for the period of closure ie., from Jan 2001 till 07.08.2010 within a period of eight (8) weeks from the date of receipt of a copy of this order less the amount already deposited, if any. However, liberty is granted to the respective private respondents to withdraw the entire amount if any deposited by the petitioner with accrued interests and costs. It is made clear that the concerned authority shall calculate the gratuity amount except for the above prescribed period and disburse the same to the employees.



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7. With the above observation, these writ petitions are disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

**25.03.2026**

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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**M.DHANDAPANI,J.**  
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