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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Case QR

DATED: 04-11-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WP Nos. 44621, 44662, 44625, 44773, 44837, 44081, 44085, 44087, 44097 and 44100 of 2026
and
W.M.P.Nos. 50095, 50156, 50101, 50292, 50322, 49441, 49448, 49450, 49462 and 49463 of 2026

CNR: {HCMA012422052026}

A.P.Gopi Krishnan
S/o.A.M.Ponnuranga Mudaliyar
Sri Bharathi Motor Service
72 Subba Rao Street
Sholingur – 631 102
Ranipet District.

..Petitioner(s)

Vs

1. The Deputy Commissioner of Labour
   -Cum-Controlling Authority Under Gratuity Act
   Office of the Joint Commissioner of Labour
   Vellore – 10.

2. The Tahsildhar, Sholingur Taluk,
   Sholingur – 634 102,
   Ranipet District.

3. M. Srinivasan
   S/o.Muthusamy
   4-84 Balaji Nagar
   Greampet, Chitoor – 517 001 (A.P)

..Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, to call for the records pertaining to the proceedings and order passed by the 1st respondent in P.G. Case No. 66 of 2025

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dated 06.05.2026 and to quash the same or to pass.

For Petitioner(s): Mr. M. Munian

For Respondent(s): Mr. K.K. Ram Siddhartha, AGP-R1 and R2

C O M M O N O R D E R

These Writ Petitions are being disposed of by way of this common order at the time of admission with the consent of the learned counsel for the Petitioner and the learned Additional Government Pleader who takes notice on behalf of respondents 1 and 2.

2. The petitioner has attempted to bypass the statutory remedy prescribed under Section 7 of the Payment of Gratuity Act, 1972.

3. The case of the petitioner is that none of the private respondents are employees within the meaning of Section 2(e) of the Payment of Gratuity Act, 1972 and therefore, the question of paying gratuity to them in terms of Section 4 of the Payment of Gratuity Act does not arise.

4. The provisions of Section 7 of the Payment of Gratuity Act, particularly sub-Section (7), contemplate an appeal to be filed within a period of 60 days from the date of receipt of the order, which may be extended by a further period of 60 days for filing an appeal before the Appellate Authority.

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5. Since there is a determination by the statutory authority that petitioner is required to pay gratuity, the issue is left open to be canvassed before the Appellate Authority in terms of Section 7 of the Payment of Gratuity Act, 1972.

6. In view of the above, these Writ Petitions are disposed of, leaving it open to the petitioner to work out his remedy before the Appellate Authority in accordance with law. Consequently, connected miscellaneous petitions are closed. No costs.

04-11-2026

Neutral Citation: Yes / No
AT

Note : Registry is directed to
incorporate cause title for all
the cases and issue order copy.

To
1.The Deputy Commissioner of Labour
-Cum-Controlling Authority Under Gratuity Act Office of the Joint Commissioner of Labour
Vellore – 10.

2.The Tahsildhar, Sholingur Taluk,
Sholingur – 634 102,
Ranipet District.

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C.SARAVANAN, J.

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