

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Writ Petition No.11129 of 2015

M.Kaliyamoorthy

... Petitioner

vs.

1. The District Collector
Nagapattinam District
Nagapattinam

2. The Deputy Commissioner of Labour
Office of the Labour Commissioner
Tiruchirappalli

3. The Special Officer
ZB-75, Ananthandavapuram Primary Agriculture
Co-operative Credit Society Limited
Ananthandavapuram and Post Mayiladuthurai
Nagapattinam District - 609 103

... Respondents

Writ Petitions filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus directing the first respondent to implement the order of the second respondent in No.A2/2299/2014 dated 09.09.2014 against the 3rd respondent under the Revenue Recovery Act, 1936 within the time frame fixed by this Court.

For Petitioner : Mr.R.Shivakumar

For Respondents : Ms.T.P.Savitha
Govt. Advocate

O R D E R

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner claims that he is a retired clerk in the third respondent society. As per the service rules, he is not

eligible for any pension, but entitled to provident fund, gratuity etc., But, on account of paucity of funds, payments were not made to the petitioner. Therefore, he filed a case before the second respondent under the Payment of Wages Act in P.W.Case No.1 of 2011 and the same was disposed of on 16.09.2013. The second respondent directed the third respondent to pay Rs.2,70,592/- to the petitioner and since it was not paid, the petitioner sent a representation to the second respondent and the second respondent directed the first respondent to recover the award amount vide order dated 16.09.2013 and deposit the same to the credit of the first respondent and since there is no progress at all, the petitioner submitted a representation dated 10.11.2014, followed by remainders dated 15.12.2014 and 23.02.2015. Since no response is forthcoming, the petitioner came forward to file this writ petition.

3. Heard the learned counsel appearing for the petitioner and Ms.T.P.Savitha, learned Government Advocate, who accepts notice for the respondents.

4. This Court, taking into consideration the above facts and circumstances, directs the first respondent to implement the order of the second respondent in proceedings dated 09.09.2014 in accordance with law within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

gpa

To

1. The District Collector
Nagapattinam District
Nagapattinam

2. The Deputy Commissioner of Labour
Office of the Labour Commissioner
Tiruchirappalli

3. The Special Officer

ZB-75, Ananthandavapuram Primary Agriculture
Co-operative Credit Society Limited
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Nagapattinam District - 609 103

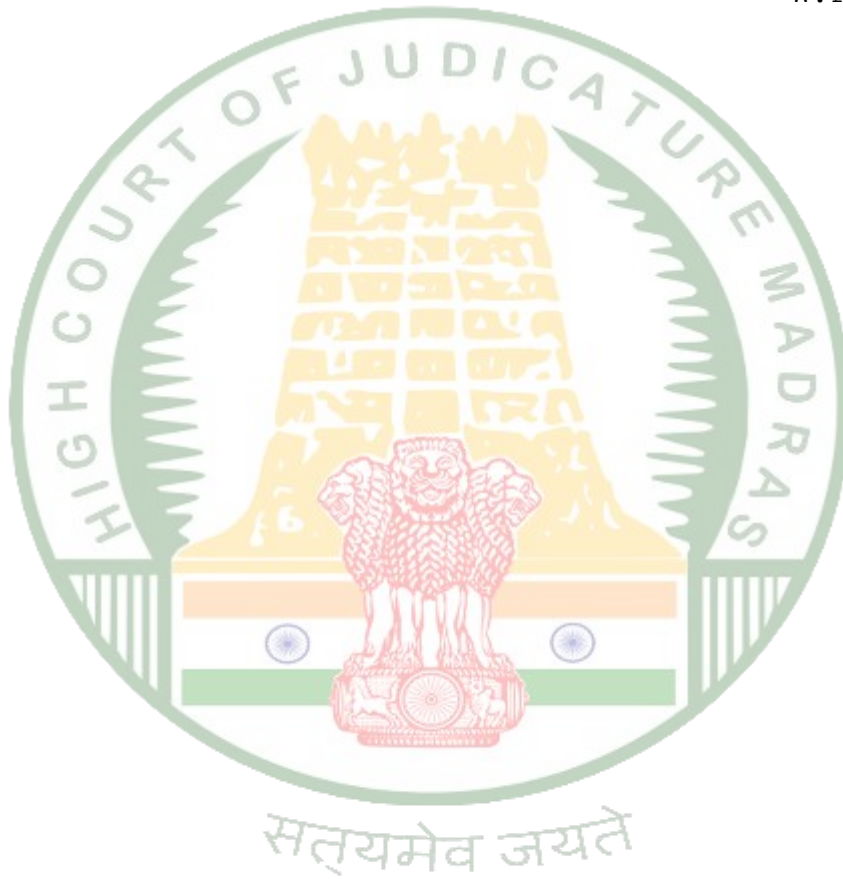
1 cc to M/s.K.M. Vijayan Associates, Advocate, Sr. 21123

1 cc to Government Pleader, Sr. 21249

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GJ (CO)

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