

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22-4-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.11843 of 2015

C.Jayaprakash

...Petitioner

vs

1. The Management
The Coimbatore Pioneer Mills Limited
Unit-2, Jothipuram Post
Coimbatore - 641 047
2. The Assistant Commissioner of Labour
Assistant Commissioner of Labour
Dr.Balasundaram Road
Coimbatore 611 018
3. The District Collector
Collector Office
Race Course Road
Coimbatore
4. The Tahsildar
Coimbatore (North)
Coimbatore

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the third respondent to recover the amount due along with interest due from the first respondent to the petitioner based upon the revenue recovery certificate in R.R.No.40/2005 dated 22.8.2005, on the file of the Assistant Commissioner of Labour, Coimbatore 18.

For Petitioner : Mr.S.Saravanan

For Respondents : Mrs.M.E.Raniselvam
Additional Government Pleader
for RR2 to 4

ORDER

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

2. According to the petitioner, he, after entering into the service in the Mill operated by the first respondent, retired from service and he has not been given any retirement benefits and hence, he filed G.A.No.97 of 2005 under the Payment of Gratuity Act, 1972, on the file of the second respondent, who passed an Award dated 4.5.2005, quantifying the amount at Rs.1,12,500/- being payable by the first respondent along with interest.

3. The grievance expressed by the petitioner, is that the said order came to be passed as early as on 4.5.2005, and though he approached the first respondent to enforce the said order, he has not been favoured with any response and now, his family is suffering very much and in this regard, he has submitted a representation dated 18.12.2014, to the first respondent enclosing a copy of the Revenue Recovery Certificate in R.R.No.40/2005 dated 22.8.2005, and in spite of receipt of the same, no action is forthcoming and hence, he came forward to file this writ petition.

4. Heard the submissions of the learned Counsel appearing for the petitioner, and Mrs.M.E.Raniselvam, learned Additional Government Pleader, who accepted notice for the respondents 2 to 4.

5. A perusal of the typed-set of documents would disclose that no acknowledgement has been enclosed for the receipt of the above said representation of the petitioner. This Court, in the facts and circumstances of the case, permits the petitioner to submit one more representation to the third and fourth respondents for the implementation of the order dated 4.5.2005, made in G.A.No.97/2005, and also the proceedings vide Revenue Recovery Certificate in R.R.No.40/2005 dated 22.8.2005, within a period of one week from the date of receipt of a copy of this order, and the respondents 3 and 4, on receipt of the same, are directed to consider it on merits and in accordance with law, and also take into consideration the above said order and proceedings and pass orders as expeditiously as possible and not later than six weeks from the date of receipt of the representation and communicate the decision to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nsv

To

1. The Assistant Commissioner of Labour
Assistant Commissioner of Labour
Dr.Balasundaram Road
Coimbatore 611 018

2. The District Collector
Collector Office
Race Course Road
Coimbatore

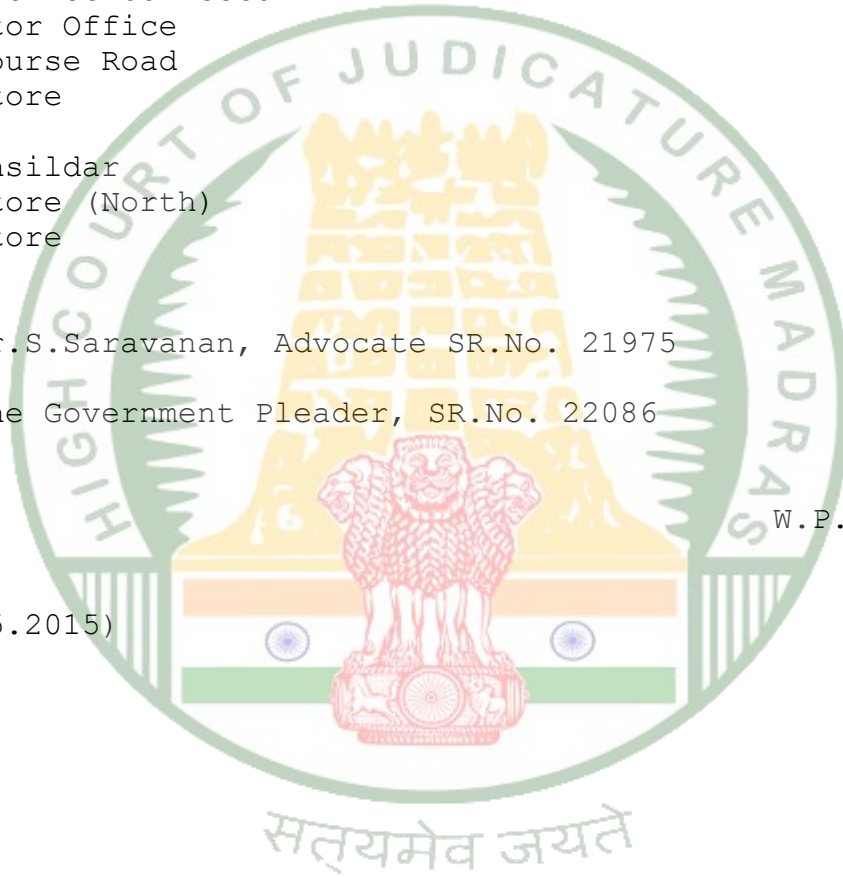
3. The Tahsildar
Coimbatore (North)
Coimbatore

1 CC to Mr.S.Saravanan, Advocate SR.No. 21975

1 CC to the Government Pleader, SR.No. 22086

W.P.No.11843 of 2015

KM (CO)
PSI (08.05.2015)



WEB COPY