

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.8.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.21865 of 2013

G.BALARAMAN
S/O.GANESA MUDALIAR,
NO.18/7 MUNUSAMY STREET,
BHARATHI BLOCK JAFARKHANPETTAI
CHENNAI-83.

PETITIONER

Vs.

1 THE DISTRICT COLLECTOR
OFFICE OF THE COLLECTORATE CHENNAI-1.

2 THE TAHSILDAR
MAMBALAM GUINDY TALUK CHENNAI-78

3 THE PRESIDING OFFICER &
COMMISSIONER OF WORKMEN COMPENSATION
TEYNAMPET CHENNAI.

4 THIRU.PRABHU
NO.H-3/2 WW UNIT,
BHARATHIDASAN COLONY,
K.K.NAGAR CHENNAI-78.

... RESPONDENTS

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to invoke Section 3(1) of the Revenue Recovery Act against the 4th respondent thereby implementing the order in W.C.No.235/2007 passed by the 3rd respondent herein within a time frame to be stipulated by this Court.

For Petitioner : Mrs.Vasuki Ramanan for
M/s.M.Kempraj

For Respondents-1to3 : Mr.S.Diwakar, A.G.P.
For Respondent-4 : No appearance

O R D E R

The facts are not in dispute. The petitioner was an employee of the respondent No.4. During the course of employment, he met with an accident. On the refusal of the respondent No.4 to pay adequate compensation, the petitioner filed an application under the

Workmen Compensation Act in W.C.No.235 of 2007. An order was passed on 2.2.2009. Thereafter, the respondent No.3 wrote a letter to the respondent No.2 on 20.7.2009 to take action under the revenue Recovery Act to recover the sum of Rs.3,20,918/-. It appears that a sum of Rs.80,000/- was recovered and paid to the petitioner. After the same, the respondent No.4 filed an application to set aside the ex-parte order passed. The said application was also dismissed on 21.1.2013 in I.A.No.53 & 79 of 2011 in W.C. No.235 of 2007. Once again, the respondent No.3 wrote a letter to the respondent No.2 to recover a sum of Rs.2,40,918/-. As no action was taken, the present writ petition has been filed.

2 Though notice has been served, none appeared for the respondent No.4. As the facts narrated above are not in dispute, a direction is issued to the respondent No.1 to invoke Revenue Recovery Act against the respondent No.4 within a period of four weeks from the date of receipt of a copy of this order. Thereafter, appropriate steps may be taken to recover the amount from the respondent No.4 and the same may be paid to the petitioner.

Accordingly, the writ petition stands disposed of. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

vaan

To

1 THE DISTRICT COLLECTOR
OFFICE OF THE COLLECTORATE CHENNAI-1.

2 THE TAHSILDAR
MAMBALAM GUINDY TALUK CHENNAI-78

3 THE PRESIDING OFFICER &
COMMISSIONER OF WORKMEN COMPENSATION
TEYNAMPET CHENNAI.

1 cc to Mr.M. Kempraj, Advocate, sr. 45325
1 cc to Government Pleader, sr. 45419

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KM (CO)
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