



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2015

CORAM:

THE HONOURABLE Mr.JUSTICE T.RAJA

W.P. (MD) No.15841 of 2015

U.Velusamy

... Petitioner

Vs.

1.The Deputy Commissioner of Labour,
Tirunelveli.

2.The District Collector,
Thoothukudi District.
Thoothukudi.

3.The District Collector,
Chennai District,
Singaravelar Maligai,
Chennai 600 001.

4.Kences Construction Co.Pvt.Ltd.,
Kences Towers,
No.1, Ramakrishna Street,
North Usman Road,
T.Nagar, Chennai 600 017.

5.Narasa Reddy

6.A.R.Merchantile Pvt.Ltd.,
C/o Narasa Reddy,
Kences Towers,
No.1, Ramakrishna Street,
North Usman Road,
T.Nagar, Chennai 600 017.

7.Pandaram

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to recover and deposit the award amount of Rs.2,34,262/- (Rupees Two lakhs Thirty Four Thousand Two Hundred and Sixty two only) awarded in W.C.No.56 of 2009 on 28.09.2012 by the 1st respondent together with interest at 12% per annum from 27.09.2009 from the respondents 4 to 7 jointly and severally under Revenue Recoveries Act, 1963, arrears of public revenue.



For Petitioner : Mr.U.Kasipandian
For Respondents : Mr.J.Gunaseelan Muthiah, G.A.
for R1 to R3

ORDER

WEB COPY

This Writ petition has been filed by the petitioner viz., U.Velusamy in whose favour an award was passed in W.C.No.56 of 2009 on 28.09.2014 by the 1st respondent / Deputy Commissioner of Labour, Tirunelveli, for a sum of Rs.2,34,262/- seeking mandamus, directing the respondents 2 and 3 to recover the deposit the award amount awarded with interest at the rate of 12% per annum from 27.09.2009 from the respondents 4 to 7 jointly and severally under Revenue Recovery Act.

2.Mr.J.Gunaseelan Muthiah, learned Government Advocate took notice for the respondents 1 to 3. By consent, the Writ petition itself is taken up for final disposal. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

3.The learned Government Advocate appearing for the respondents 1 to 3 would submit that since the petitioner has not filed proper documents showing the movable properties belonging to the respondents 4 to 7, the respondents 2 and 3 would not be in a position to initiate any recovery proceedings under Revenue Recovery Act.

4.In reply, the learned counsel for the petitioner would submit that both movable and immovable properties of the respondents 4 to 7 are at Kayathar of Thoothukudi District, which is within the jurisdiction of the 2nd respondent and some of the properties are also lying within the jurisdiction of the 3rd respondent. Adding further he would submit that the petitioner would prepare to furnish full particulars of all the said details of the properties of the respondents 4 to 7 before the respondents 1 to 3.

5.Recording the said submission, this Court directs the petitioner to furnish the particulars in respect of the properties of the respondents 4 to 7 before the respondents 1 to 3, within a period of 2 weeks from the date of receipt of a copy of this order and on receipt of the same, the respondents 2 and 3 shall initiate suitable action under Revenue Recovery Proceedings within a period of 10 weeks thereafter.



The Writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (Per.Admn)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Commissioner of Labour,
Tirunelveli.
2. The District Collector,
Thoothukudi District.
Thoothukudi.
3. The District Collector,
Chennai District,
Singaravelar Maligai,
Chennai 600 001.

+ 1 CC TO MR.U.KASIPANDIAN, ADVOCATE IN SR NO. 51026

NBJ

TE/JGB-DP/ 21/09/2015 3P/5C

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