

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.4213 of 2014

Mrs.Maakali

.. Petitioner

- Vs -

1. The District Collector,
Coimbatore District,
Coimbatore,
2. The Deputy Commissioner of Labour,
Coimbatore District,
Coimbatore,
3. The Tahsildhar,
Palladam Taluk,
Coimbatore,
4. The Administration,
Maakaliyamman Kovil Trust,
Pallipalayam,
Poomalur,
Coimbatore,

5. M.Gnanasekar

.. Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the 1st respondent to recover a sum of Rs.4,33,160/- with 12% interest per annum from the date of the death of the petitioner's son, from the 3rd respondent as computed by the 2nd respondent/Workman Compensation Commissioner of Labour, Coimbatore in W.C.No.19 of 2008 dated 15.09.2010 within a time frame that may be fixed by this Court.

Petitioner

: Mr.K.Thilageswaran

For Respondents

: Mr.V.Subbiah,
Spl.Govt.Pleader for RR.1 to

O R D E R

From the records, it is seen that the petitioner got an award from the 2nd respondent - Workman Compensation Commissioner of Labour, Coimbatore, under the Workmen's Compensation Act in W.C.No.19 of 2008 dated 15.9.2010. A representation dated 21.11.2011 was also made by the petitioner before the 1st respondent. Orders were passed by the 2nd respondent on 23.8.2012, by which it has been stated that appropriate action could be taken to recover the said amount under the Revenue Recovery Act. As no further action was forthcoming, the present writ petition has been filed.

2. Despite the notice having been served, none appears for respondents 4 and 5.

3. It appears that the award passed by the 2nd respondent dated 15.09.2010 has become final. Though the said order was passed by the 2nd respondent and intimation was also given by the 2nd respondent on 23.8.2012, no follow up action has been taken up.

4. Therefore, a direction is hereby issued to respondents 1 and 3 to take appropriate action to recover the amount awarded against the 4th respondent along with interest by resorting to the Revenue Recovery Act within a period of eight weeks from the date of receipt of a copy of this order.

5. This writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Coimbatore District,
Coimbatore,

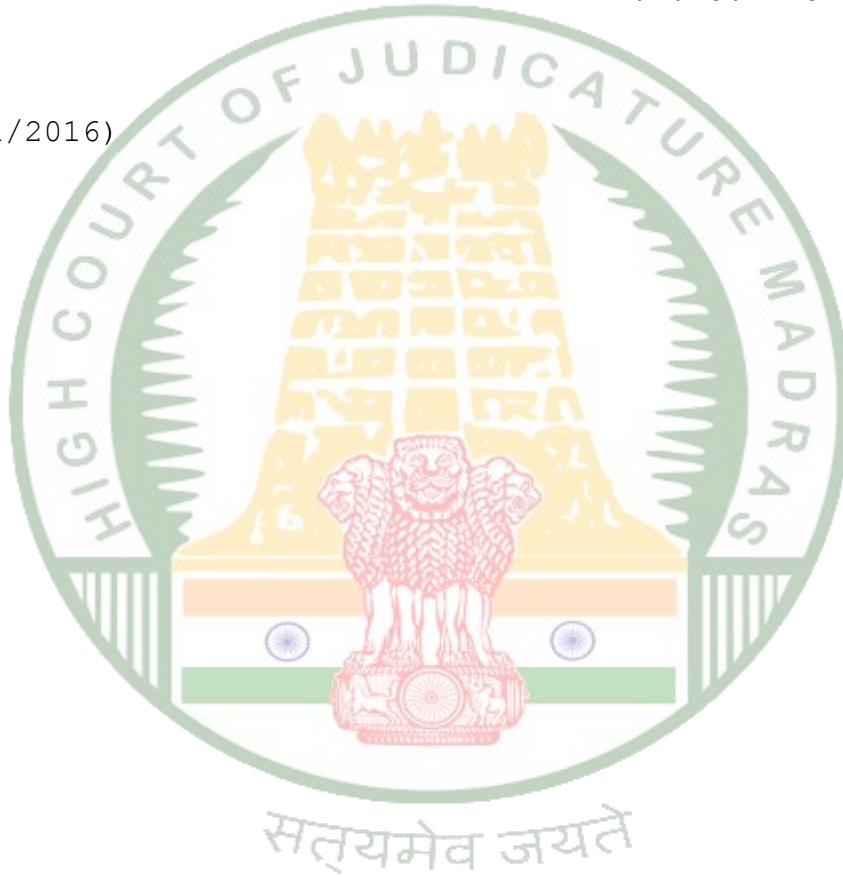
2. The Deputy Commissioner of Labour,
Coimbatore District,
Coimbatore,

3. The Tahsildhar,
Palladam Taluk,
Coimbatore,

+1cc to Mr.K.Thilageswaran, Advocate, S.R.No.2398
+1cc to the Government Pleader, S.R.No.2238

W.P.No.4213 of 2014

ca (CO)
srg (29/01/2016)



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