

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.3639 of 2016

P.Rajamani @ Rajamanickam

... Petitioner

Vs.

1. The Deputy Commissioner of Labour,
Collectorate, Salem.
 2. The Revenue Divisional Officer,
Collectorate, Erode.
 3. The Tahsildar,
Erode Taluk, Collectorate,
Erode.
 4. M/s.R.S.Development & Construction India Pvt. Ltd.,
No.133, H, 3rd Main Road,
Periyar Nagar, Erode.
- Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents 1 to 3 to initiate revenue recovery proceedings to recover the amount from the fourth respondent, as per award passed by the first respondent in W.C.No.121 of 2010, dated 03.10.2014, within the time, that may be stipulated by this Court.

For Petitioner सत्यमेव जयते : Mr.C.Munusamy

For Respondents 1 to 3 : Mr.R.Rajeshwaran,
Additional Government Pleader

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O R D E R

Mr.R.Rajeswaran, learned Special Government Pleader, accepts notice for respondents 1 to 3. By consent of both parties, the main Writ Petition is taken up for final disposal.

2. The petitioner has filed this Writ Petition, seeking for a direction upon the respondents 1 to 3 to initiate action to recover the compensation amount, awarded by the first

respondent/Deputy Commissioner of Labour, in W.C.No.121 of 2010, dated 03.10.2014, by which, the fourth respondent has been directed to pay compensation of Rs.1,61,280/- to the petitioner.

3. The learned counsel appearing for the petitioner has submitted that, as on date, no Appeal has been filed by the fourth respondent against the award, dated 03.10.2014, passed by the first respondent and no notice of any such challenge has been received by the petitioner.

4. In the light of the above, there will a direction to the second respondent/Revenue Divisional Officer, to consider the petitioner's representation, dated 22.12.2015, and pass appropriate orders, after issuing notice to the petitioner as well the fourth respondent, verifying as to whether any Appeal has been filed by the fourth respondent against the award passed in W.C.No.121 of 2010, dated 03.10.2014, and in case of any Appeal has been preferred, then, issue appropriate orders and initiate proceedings under the Revenue Recovery Act, for recovery of the amount awarded to the petitioner. The above said direction shall be complied with by the second respondent within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sd
To

1. The Deputy Commissioner of Labour,
Collectorate, Salem.
2. The Revenue Divisional Officer,
Collectorate, Erode.
3. The Tahsildar,
Erode Taluk, Collectorate, Erode.

+1cc to Mr.C.Munusamy, Advocate, S.R.No.6248

+1cc to the Government Pleader, S.R.No.6542

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RSI (CO)
CA(10/02/2016)