

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.42760 of 2016

P.Murugan

... Petitioner

vs.

1. The District Collector,
Collectorate,
Kancheepuram.

2. The Tahsildar,
Shozhinganallur Taluk,
Kancheepuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the second respondent to implement the order passed by the 1st respondent in his proceedings Na.Ka.319/2014/u2, dated 06.01.2014 within a stipulated time.

For Petitioner : Mr.C.Munusamy

For Respondents: Mr.A.Kumar,
Special Government Pleader

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the 2nd respondent to implement the order passed by the 1st respondent in his proceedings Na.Ka.319/2014/u2, dated 06.01.2014 within a stipulated time.

2. The case of the petitioner is that his father, viz. Pachiappan @ Kasi, who was working as a Periyaal in a Building Construction and as a Watchman during night hours, died on 13.05.2008, owing to the injuries sustained in the construction site. In that regard, the petitioner filed a Claim Petition before the Deputy Commissioner of Labour, Chennai seeking compensation for the death of his father and after enquiry, an award was passed on 28.11.2011 for a sum of Rs.3,01,840/- together with interest at 12% per annum, payable by the employer.

3. Since the award amount was not deposited by the employer, the petitioner requested the 1st respondent to recover the award amount and the 1st respondent, vide letter dated 06.01.2014, directed the 2nd respondent to initiate revenue recovery proceedings and realize the amount awarded by the Labour Court. Despite the said proceedings, since no action is taken by the 2nd respondent to implement the order passed by the 1st respondent, the petitioner is before this Court with the present Writ Petition.

4. Heard the learned counsel for the parties and perused the material documents available on record.

5. Considering the facts and circumstances of the case, this Court directs the 2nd respondent to implement the order dated 06.01.2014 passed by the 1st respondent vide proceedings Na.Ka.319/2014/u2, after giving notice to the parties concerned, within a period of three months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction.
No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

aeb

To:

1. The District Collector,
Collectorate,
Kancheepuram.

2. The Tahsildar,
Shozhinganallur Taluk,
Kancheepuram District.

+1 cc to Mr.C.Munusamy Advocate sr 71892

+1 cc to Government Pleader High Court Madras
sr 72232

W.P.No.42760 of 2016

aa02/01/2017