

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.7123/2016

1.Edward
2.Sebasthiammal .. Petitioners

Versus

1. The District Collector
Coimbatore District.
2. The Tahsildar
Coimbatore North,
Coimbatore District.
3. B.Rajendran .. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the respondents 1 and 2 to execute the Award made in EC.No.24/2013 by the Commissioner, Workmen Compensation at Coimbatore in favour of the petitioners under the provisions of the Revenue Recovery Act against the 3rd respondent.

For Petitioners : Mr.V.Singan
For RR 1 & 2 : Mr.R.M.Muthukumar, AGP

ORDER

Heard the learned counsel appearing for the petitioners ; and Mr.R.M.Muthukumar, learned Additional Government Pleader accepting notice on behalf of the respondents 1 and 2 and with their consent, the writ petition is taken up for final disposal at the admission stage.

2 The petitioners have filed the above writ petition to direct the respondents 1 and 2 to initiate appropriate Revenue Recovery Proceedings for recovering the amount awarded as compensation by the Deputy Commissioner of Labour, exercising jurisdiction under the Workmen Compensation Act, in EC.No.24/2013 dated 20.10.2014.

3 In this regard, a petition has been presented before the 1st respondent u/s.31 of the Act requesting for initiating proceedings to recover the amount. Since this writ petition is disposed of at the admission stage, the issue as to whether any appeal has been preferred by the 3rd respondent cannot be verified and therefore, the 1st respondent shall consider the requisition of the petitioner dated 07.09.2015 which has been registered as Petition No.11/15/13809 in the office of the District Collector.

4 In the light of the above, the 1st respondent is directed to consider the petition/representation of the petitioners and direct his officials to verify as to whether any appeal has been preferred by the 3rd respondent and if no appeal is filed, appropriate direction will be issued to the 2nd respondent to initiate the Revenue Recovery Proceedings for recovering the said amount. The above direction shall be complied with, within a period of eight weeks from the date of receipt of a copy of this order.

5 The writ petition is disposed of with the above direction. No costs.
AP

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

To

1. The District Collector
Coimbatore District.

2. The Tahsildar
Coimbatore North,
Coimbatore District.

+ 1 cc to Mr.S.Singan Advocate, SR 12521

+ 1 cc to Government Pleader, High Court, Madras SR12524

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