

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 04.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M. SUNDRESH

W.P.No.7862 of 2017

1.P.Mariammal
2.Minor Chandra
3.Minor Anbu Ganesh
4.Chandra .. Petitioners
(Petitioners 2 and 3 are rep. by their
mother and next friend, the 1st petitioner)

Versus

1.The District Collector,
Kanchipuram District,
Kanchipuram.
2.Deputy Commissioner of Labour-II,
Tamil Nadu Labour Welfare Board Building,
2nd Floor, D.M.S. Compound,
Teynampet, Chennai - 6.
3.The Tahsildar,
Thiruporur Taluk,
Thiruporur - 603 110,
Kanchipuram District.
4.The Management of
Thirumurugan Modern Rice Mill,
Kunnappattu Village, Manampathi (Via),
Chengalpattu,
Kanchipuram District - 603 105. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of writ of Mandamus, directing the respondents 1 and 3 to recover from the 4th respondent a sum of Rs.3,31,140/- (Rupees Three Lakhs Thirty One Thousand One Hundred and Forty only) along with interest at the rate of 12% per annum from the date of the 1st petitioner's husband Late G.Pari met with an accident i.e. on 14.03.2010 as per order dated 28.09.2013 made in W.C. Case No.489 of 2010 by the 2nd respondent under Revenue Recovery Act and send it to the 2nd respondent to enable him to disburse the money to the

petitioners herein within a time frame that may be fixed by this Court.

For Petitioners : Mr.K.Elango

For Respondents : Mr.K.J.Sivakumar
Government Advocate (For R1 to R3)

O R D E R

Heard Mr.K.Elango, learned counsel appearing for the petitioners and Mr.K.J.Sivakumar, learned Government Advocate appearing for the respondents 1 to 3.

2.In pursuant to the application made seeking compensation under the Workmen Compensation Act by the petitioners, being the wife, children and mother of the deceased G.Pari working with the fourth respondent, an award was passed in W.C.No.489 of 2010 on 28.09.2013.

3.Thereafter, an application was filed under Section 31 of the said Act by the petitioners. In pursuant to the said application, a show cause notice was issued to the fourth respondent by the second respondent on 28.05.2014 in letter No.B3/3887/2014 dated 28.05.2014. As the fourth respondent has not complied with the award, on 08.04.2015 the first respondent sent a communication to the second respondent seeking to invoke the Revenue Recovery Act. Despite the same, no further action is forthcoming and hence, the present writ petition has been filed.

4.The award passed in favour of the petitioners got concluded as early as 28.09.2013 and now, more than three years have elapsed. The petitioners are yet to get the fruits of the award passed. In such view of the matter, this Court is inclined to direct the respondents 1 and 3 to take appropriate action to see to it that the award passed in favour of the petitioners are given effect to. Such action will have to be taken within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

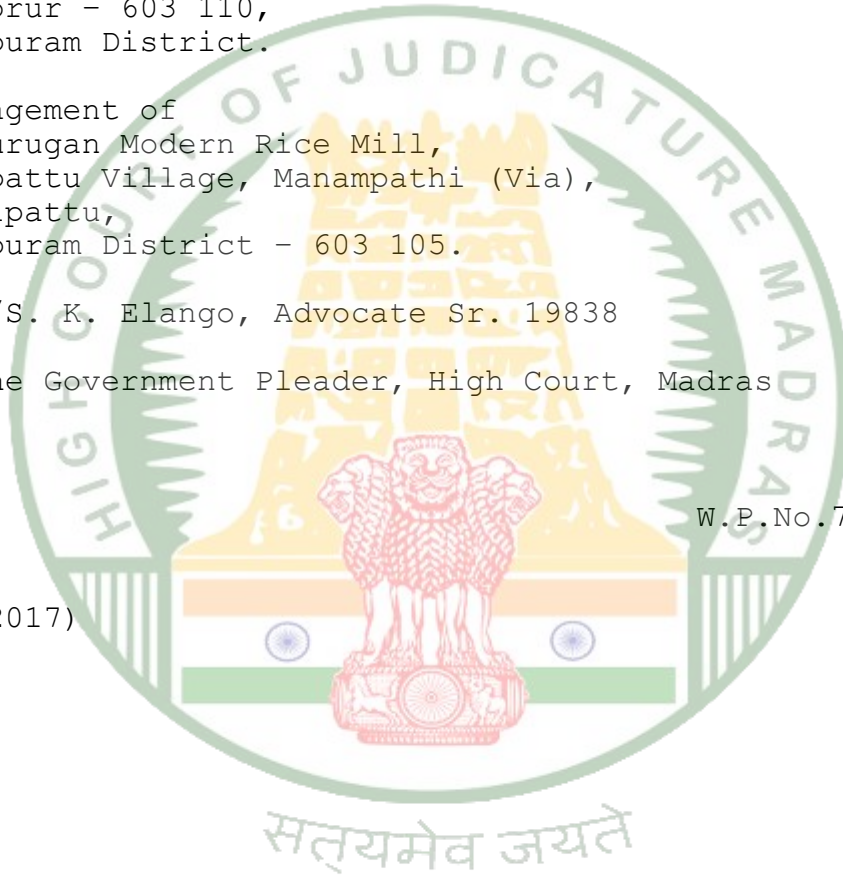
- 1.The District Collector,
Kancheepuram, Kancheepuram District.
- 2.Deputy Commissioner of Labour-II,
Tamil Nadu Labour Welfare Board Building,
2nd Floor, D.M.S. Compound,
Teynampet, Chennai - 6.
- 3.The Tahsildar,
Thiruporur Taluk,
Thiruporur - 603 110,
Kanchipuram District.
- 4.The Management of
Thirumurugan Modern Rice Mill,
Kunnappattu Village, Manampathi (Via),
Chengalpattu,
Kanchipuram District - 603 105.

+1cc to M/S. K. Elango, Advocate Sr. 19838

+1cc to the Government Pleader, High Court, Madras
Sr. 20232

W.P.No.7862 of 2017

NRI (CO)
VR(19/04/2017)



WEB COPY