

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.28386 of 2017

1 Tmt.Kalaivani [Petitioners]
2 Minor G.Sanjay
3 Minor G.Siranjeevi
Petitioners 2 & 3 rep by Mother
and Guardian 1st petitioner

Vs

1 The Deputy Commissioner of Labour-I
O/o.The Deputy Commissioner of Labour-I
DMS Complex Teynampet Chennai-06
2 State of Tamil Nadu rep by
The District Collector, Vellore
O/o.The Collectorate Satuvachari Vellore-9
3 Mr.K.Rajendran
4 Mr.L.Ramamurthy [Respondents]

Petition under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondent 2 to recover the award amount of Rs.7,08,384/- with 12% interest and cost from the date of petition to till the date of deposit from the 3rd Respondent and pay the same to the petitioners at the earliest date and allow this Writ Petition with costs.

For Petitioners :: Mr.V.Parivallal

For Respondents :: Mr.R.A.S.Senthilvel, AGP (R1&2)

ORDER

The Writ Petition has been filed seeking for a writ of mandamus, directing the 2nd respondent to recover the award amount of Rs.7,08,384/- with 12% interest and cost from the date of petition to till the date of deposit from the 3rd respondent and pay the same to the petitioners at the earliest date.

2. The petitioners obtained an award from the Deputy Commissioner of Labour-I, Chennai on 15.04.2015, wherein, a sum of Rs.7,08,384/- was directed to be paid to the petitioners by the 3rd respondent. Since the said amount has not been paid, a representation was given to the 1st respondent on 27.07.2016 by the 1st petitioner, for taking steps to recover the award amount under the Revenue Recovery Act from the 3rd respondent and then to pay back the same to the petitioners. An order was also passed by the 1st respondent directing the 2nd respondent, the District Collector, Vellore, to recover the award amount from the 3rd respondent on 18.10.2016. But, the same has not been pursued by the 2nd respondent. Therefore, a further representation was given on 21.07.2017 to the respondents 1 and 2 for recovery of the award amount. However, the same has not yet been considered. Finally, the petitioners have come to this Court.

3. Mr.R.A.S.Senthilvel, learned Additional Government Pleader, appearing for the respondents 1 and 2 submitted that eight weeks' time may be granted to the 2nd respondent to pass orders on the representation of the 1st petitioner.

4. Since the representation has to be disposed of only by the 2nd respondent, this Court is of the view that no notice is required to be issued to the respondents 3 and 4 and hence notice to the respondents 3 and 4 is dispensed with.

5. In view of the submission made by the learned Additional Government Pleader, the 2nd respondent is directed to dispose of the representation of the 1st petitioner dated 21.07.2017, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1 The Deputy Commissioner of Labour-I
O/o.The Deputy Commissioner of Labour-I
DMS Complex Teynampet Chennai-06

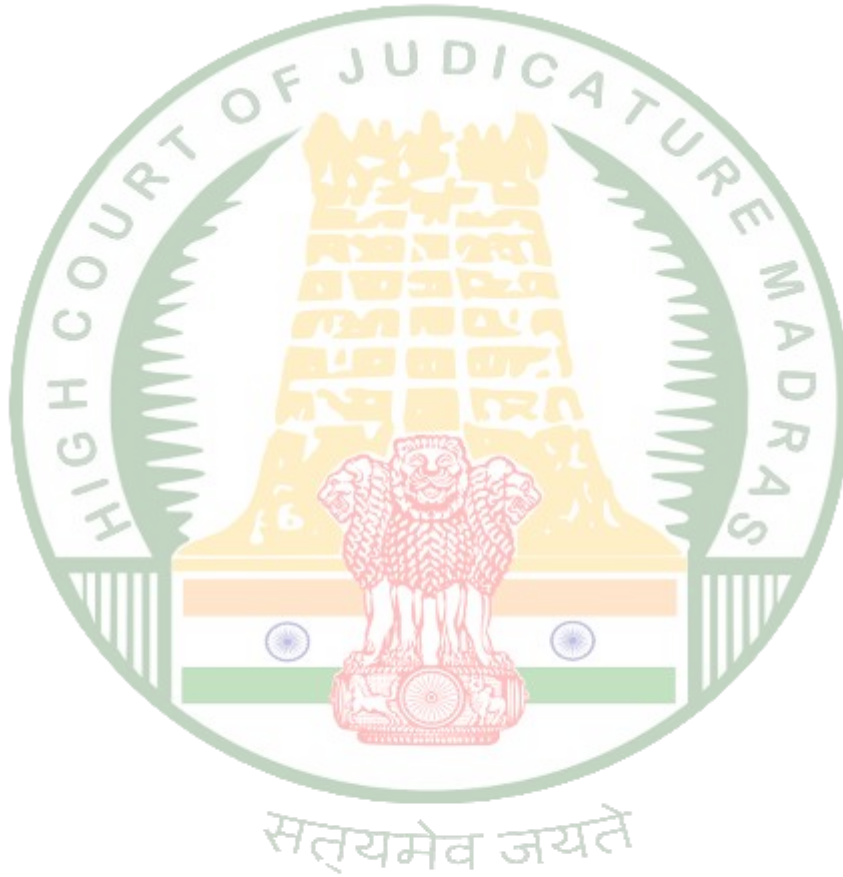
2 State of Tamil Nadu rep by
The District Collector, Vellore
O/o.The Collectorate Satuvachari
Vellore-9

+1cc to Mr.V.Parivallal, Advocate, S.R.No.78854

+1cc to the Government Pleader, S.R.No.79301

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CS/29/11/17



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