

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.30607 of 2017

R.Velayudam

.. Petitioner

Vs.

1.The Commissioner of Labour,
(Under Workmen Compensation Act),
Thiruchirapalli.

2.The District Collector,
Thiruppur,
Thiruppur Taluk & District.

3.D.Venkatesh,
Proprietor & Managing Director,
Sarnitha Compactors Pvt.Ltd.,
No.3, College Cross Road,
Avarangkadu-641 602,
Thirupur District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to directing the Respondents 1 and 2 to implement the award passed in W.C.No.99 of 2008 by attaching the immovable properties of the 3rd respondent as per the petitioner's dated 02.01.2017.

For Petitioner : Mr.M.Thamizhavel

For Respondents : Mr.J.Ramesh for R-1, R2
Additional Government Pleader
Mr.K.J.Parthasarathy for R-3

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents 1 and 2 to implement the award passed in W.C.No.99/2008 by attaching the immovable properties of the 3rd respondent as per the representation of the petitioner's dated 02.01.2017.

2.The grievance of the writ petitioner is that the 1st respondent-Commissioner of Labour (under Workmen Compensation Act), passed an award in W.C.No.99/2008 on 09.02.2012. The said award was received by the 3rd respondent. However, the amount of award has not been disbursed in favour of the writ petitioner. The respondents 1 and 2 also have not taken any action for realising the award amount and to pay the same to the writ petitioner. The writ petitioner in this regard submitted a representation to the respondents 1 and 2 on 02.01.2017. Thus, it is suffice if a direction is issued to the 2nd respondents to invoke the provision of the Revenue Recovery Act for the purpose of realising the award amount and disburse the same to the writ petitioner in accordance with law.

3.In this view of the matter, the 2nd respondent is directed to consider the representation submitted by the writ petitioner on 02.01.2017, and pass orders on merits in accordance with law within a period of twelve weeks from the date of receipt of a copy this order. The writ petitioner is directed to enclose the copy of the representation and all the relevant orders, if any, along with the order passed in the writ petition.

4.Accordingly, this writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

KP

To

1.The Commissioner of Labour,
(Under Workmen Compensation Act),
Thiruchirapalli.

2.The District Collector,
Thiruppur, Thiruppur Taluk & District.

+1cc to Mr.K.J.Parthasarathy, Advocate, sr.no.29695

+1cc to Mr.M.Thamizhavel, Advocate, sr.no.29185

W.P.No.30607 of 2017

RV (CO)
RRK (29/05/18)