

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2018
CORAM

The Honourable Mr. Justice S.M.SUBRAMANIAM

W.P.No.5988 of 2018

R.Govindarajan

...Petitioner

Versus

1. The District Collector,
Cuddalore District,
At Cuddalore.
2. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam, Thanjavur District.
3. The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.,
Chidambaram Branch,
Chidambaram,
Cuddalore District.

... Respondents

Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to consider the petitioner's representation dated 29.01.2018 and thereby direct him to initiate appropriate action against the respondents 2 and 3 under the Revenue Recovery Act in respect of recover the award amount a sum of Rs.15,62,042/- passed in C.P.No.58/2014 dated 01.11.2017 on the file of Learned Labour Court, Cuddalore in favour of petitioner and pay the same to him without any further delay.

For Petitioner : Mr.S.T.Natramil Kaviarasan

For Respondent 1 : Mr.J.Ramesh,
Additional Government Pleader

O R D E R

The relief sought for in this Writ petition is for a direction to the first respondent to consider the petitioner's representation dated 29.01.2018 and thereby, direct him to initiate appropriate action against the respondents 2 & 3 under the Revenue Recovery Act in respect of recover the award amount a sum of Rs.15,62,042/- passed in C.P.No.58/2014 dated 01.11.2017.

2. The execution of an award has to be done in accordance with Section 11B of the Industrial Disputes Act. Section 11B of the said Act provides a power of Labour Court or Tribunal to execute its award by decree etc. The Labour Court or Tribunal shall have the power of the Civil Court to execute the award as a decree of Civil Court and also execute any settlement of the Civil Court as defined in Clause B of Section 2 as a decree. When there is a provision for execution of an order or award passed by the Labour Court, this Court need not entertain the Writ Petition for the purpose of issuing a direction to implement the order or award passed by the Labour Court. Thus, the petitioner is granted with the liberty to approach the concerned court of law for the purpose of execution of an order passed on 01.11.2017 and by following the procedures, contemplated.

3. In view of the provision for execution of the Order of the Labour Court, no further adjudication is required in this Writ Petition and the same is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Cuddalore District,
At Cuddalore.

+1cc to Mr.A.Rajeshkanna Advocate, S.R.No.24765

W.P.No.5988 of 2018

NRI (CO)

RRK(28/04/2018)

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