

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:19.01.2018

Coram

THE HONOURABLE Mr. JUSTICE M.VENUGOPAL
AND
THE HONOURABLE Mr. JUSTICE S.VAIDYANATHAN

W.A.No.4 of 2018 and
C.M.P.No.79 of 2018

Dhanam

.. Appellant/Petitioner

Vs.

1.The Tahsildar,
Velachery Taluk,
Chennai.

2.The District Collector,
Chennai District,
Chennai.

3.T.Vijaya

4.The Deputy Commissioner of Labour – II
(Under Workmen's Compensation Act)
Teynampet, Chennai – 600 006.

..Respondents

Prayer: Appeal under Section 15 of the Letters Patent, to set aside the order dated 20.09.2017 in W.P.No.21192 of 2017 and W.M.P.No.22086 of 2017.

For Petitioner : Mr.K.Venkatesan

For RR 1, 2 & 4 : Mr.A.N.Thambidurai
Special Government Pleader

For 3rd Respondent : Mr.E.Sathiyaraj

JUDGMENT

[Judgment of the Court was delivered by M.VENUGOPAL, J.]

Heard the Learned Counsel for the Appellant/Writ Petitioner. Mr.A.N.Thambidurai, Learned Special Government Pleader takes notice for Respondents 1, 2 and 4. Mr.E.Sathiyaraj, Learned Standing Counsel for the 3rd Respondent.

2.Earlier, the Learned Single Judge, in W.P.No.21192 of 2017, on 20.09.2017, had passed an order of interim stay for a period of two weeks on condition that the Petitioner paying a sum of Rs.6,00,000/- within a period of two weeks from the date of receipt of a copy of this order directly to the 3rd Respondent (Vijaya), failing which, interim stay granted was directed to be vacated automatically without any reference to this Court.

3.Assailing the order dated 20.09.2017 in W.P.No.21192 of 2017 passed by the Learned Single Judge, the Appellant/Petitioner has preferred the present Writ Appeal.

4.At the time of hearing of the present Writ Appeal, the Learned Counsel for the Appellant informs this Court that the Appellant/Petitioner is ready and willing to deposit a sum of Rs.4,00,000/- to the credit of W.C.No.382/2011 on the file of the Deputy Commissioner of Labour-II, Teynampet, Chennai within one month.

5.In view of the above, this Court, without going into the merits of the matter and not expressing any opinion one way or other and also not delving deep into the matter, at this juncture, simplicitor, directs the Appellant/Petitioner to deposit a sum of Rs.4,00,000/- [Rupees Four lakhs only] to the credit of W.C.No.382 /2011 on the file of the 4th Respondent/Deputy Commissioner of Labour-II, Teynampet, Chennai, within a period of one month from the date of receipt of a copy of this order.

6.In the event of the Appellant depositing a sum of Rs.4,00,000/- to the credit of W.C.No.382/2011 on the file of the Deputy Commissioner of Labour-II, Teynampet, Chennai within the time as aforesaid, then, it is open to the 3rd Respondent to file necessary payment out application for withdrawal of a sum of

Rs.2,00,000/- [Rupees two lakhs only]. If such application is filed by the 3rd Respondent, then, the same shall be dealt with by the Deputy Commissioner of Labour-II, Teynampet, Chennai, after conducting 'Dependent Enquiry', in the manner known to Law and in accordance with Law.

7.Further, the 4th Respondent/Deputy of Commissioner of Labour-II, Teynampet, Chennai is hereby directed to deposit the remaining amount of Rs.2,00,000/- in the Indian Bank, situated in High Court, Madras precincts, in a Fixed Deposit, for a period of one year and thereafter, to be renewed periodically. The interest shall be claimed by the 3rd Respondent once in three months, of course, directly from the Bank.

8.In view of the above observations and directions, the Writ Appeal is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

(M.V., J.) (S.V.N., J.)
19.01.2018

Speaking / Non Speaking Order
Index :Yes / No
Internet :Yes / No
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To

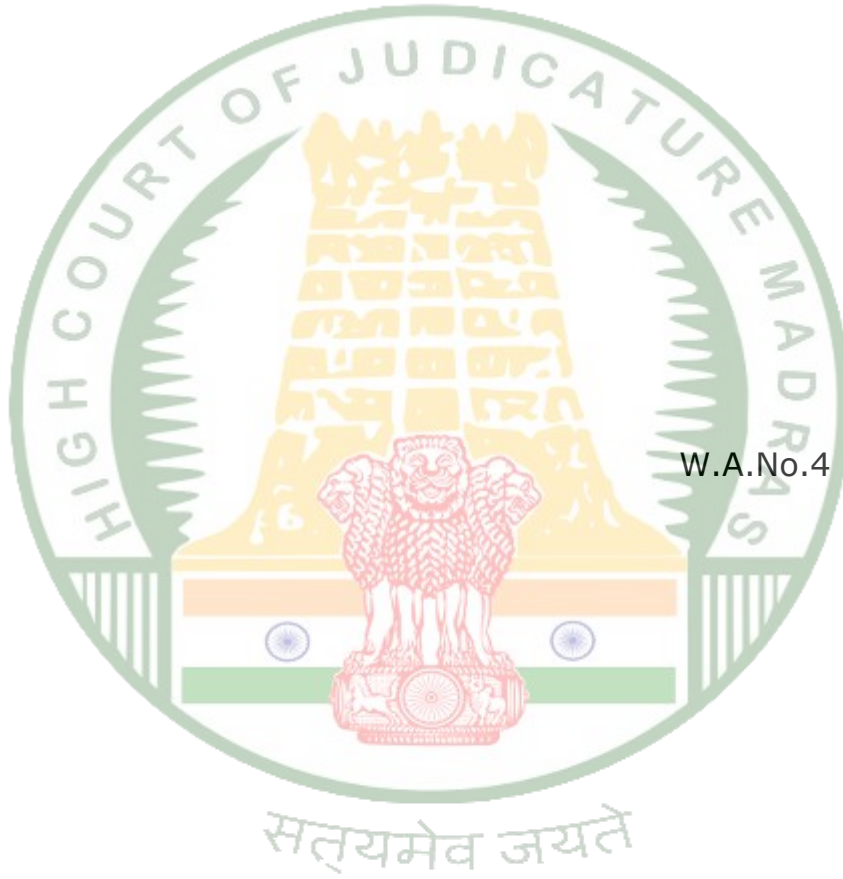
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- 4.The Government Advocate,
High Court, Madras.



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M.VENUGOPAL, J.
and
S.VAIDYANATHAN, J.

Sgl



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