

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2018

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P. No.16795 of 2008

P.Thulasidoss

..Petitioner

.Vs.

1. State of Tamil Nadu rep. by Secretary,
Labour and Employment (B2) Department,
Fort. St. George, Chennai.

2. The President,
Peravallur Panchayat,
Guigce Taluk, Villupuram District.

.. Respondents

(R2 impleaded as per Court order dated 07.08.2008 in M.P.No.1 of 2008 in W.P.No.16795 of 2008.)

Prayer: The writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to issue Certificate in C.P.No.3 of 2007 dated 28.01.2008 on the file of the Labour Court, Cuddalore.

For Petitioner : Mr.K.M.Ramesh for K.Vasudevan

For Respondents : Mr.R.S.Selvam

Government Advocate, for R1

No appearance for R2

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus directing the respondent to issue certificate in C.P.No.3 of 2007 dated 28.01.2008 on the file of the Labour Court, Cuddalore.

2. It is the case of the petitioner, that he worked as a Pump operator in the Peruvalur Panchayat, Gingee Taluk, villupuram District for more than 10 years. The contention of the petitioner is that even though the Government has passed various orders regarding the monthly salary and other allowances, the second respondent has not paid the salary. Therefore, the petitioner filed C.P.No.3 of 2007 on the file of the Labour Court, wherein the claim of the petitioner was

accepted after verifying the records and passed an award on 19.03.2008. As per the said award the second respondent has to issue certificate under Section 33-C(1) and the District Collector of Villupuram District will collect the amount from the second respondent under Revenue Recovery Act and pay to the petitioner.

3. When the matter came up for hearing on 22.06.2018 the learned Government pleader produced a letter dated 20.06.2018 sent by the 1st respondent , wherein it could be seen that they have complied with the Order of the Labour Court in C.P.No. 3 of 2007, dated 20.01.2008 and paid the amount of Rs.40,085/- in three installments. The petitioner has also acknowledged the same by the letter dated 16.08.2018, wherein it could be seen that the payment has been made on the following dates:

S.No	Receipt No./Date	Amount
1	15/14.07.2008	Rs.19,950/-
2	27/30.10.2008	Rs.19,975/-
3	28/30.10.2008	Rs.160/-
	Total	Rs.40,085

4. In view of the above letter , it is clear that nothing survives in this writ petition for adjudication and it is dismissed. No costs.

Sd/-
Assistant Registrar(CS-V)

// True Copy//

Sub Assistant Registrar

To.

1. Secretary to Government,
Labour and Employment (B2) Department,
Fort. St. George, Chennai.

+1cc to The Government Pleader, High Court, Madras.sr.no.39951

W.P. No.16795 of 2008

RMP (28/09/2018)