

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2018

CORAM

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

W.P.No.30561 of 2016

P.G.Mani

...Petitioner

Vs

1.The Deputy Commissioner of Labour,
Collectorate,
Salem.

2.The Revenue Divisional Officer,
Collectorate,
Coimbatore.

3.The Tahsildar,
Coimbatore Taluk,
Collectorate,
Coimbatore.

4.M/s.L & T General Insurance Company Ltd.,
Rep. by its General Manager,
DB Road, R.S.Puram,
Coimbatore - 641 002.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ or order or direction, particularly in the nature of writ of mandamus directing the respondents 1 to 3 herein to initiate Revenue Recovery Proceedings to recover the amount from the fourth respondent as per award passed by the first respondent in W.C.No.143 of 2013 dated 16.10.2015 within the stipulated time to be fixed by this Court.

For Petitioner :Mr.R.Arun Dattan

For Respondents 1 to 3 :Mr.M.Elumalai,
Government Advocate

For Respondent 4 :Mrs.Harini,
for M/s.M.B.Gopalan Associates

O R D E R

The relief sought for in this writ petition is to direct the respondents 1 to 3 to initiate the Revenue Recovery Proceedings to recover the amount from the fourth respondent as per award passed by the first respondent in W.C.No.143 of 2013 dated 16.10.2015.

2. The learned counsel appearing on behalf of the fourth respondent/insurance company made a submission that no appeal has been filed against the award passed by the Deputy Commissioner of Labour in W.C.No.143 of 2013. Further, the award amount along with interest had already been deposited before the first respondent.

3. In view of the fact that no appeal has been filed, challenging the award passed in W.C.No.143 of 2013, there is no impediment for the writ petitioner to withdraw the said award amount along with interest. Accordingly, the petitioner is permitted to submit an appropriate application before the authority concerned for withdrawal of deposited amount along with interest through RTGS. In the event of filing any such application, the award amount already deposited is directed to be disbursed to the petitioner along with interest through RTGS.

4. With the above observation, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Deputy Commissioner of Labour,
Collectorate,
Salem.

2.The Revenue Divisional Officer,
Collectorate,
Coimbatore.

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3.The Tahsildar,
Coimbatore Taluk,
Collectorate,
Coimbatore.

+1cc to Mr.M.B.GOPALAN, Advocate, S.R.No.29700
+1cc to Mr.C.MUNUSAMY, Advocate, S.R.No.29713

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NA (CO)
TR(15/05/2018)



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