



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2018

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THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.7993 of 2018

Ponmari

: Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Labour Deputy Commissioner,
Tirunelveli.
3. The Managing Director,
Ohm Muruga @ Co., Spinning Mills,
Muthugudi Village,
Rajapalayam Taluk
Virudhunagar District.

: Respondents

(first respondent in the Cause title has been amended
as per the order of this Court dated 16.04.2018
in WMP No.7796/2018)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 1st respondent to implement the order of the 2nd respondent in A1/7824/2016 (WC28/07) (Non - Fatal) dated 06.01.2017 and recover the award amount with interest passed by the 2nd respondent in W.C.No.28 of 2007 dated 31.12.2009 from the 3rd respondent within the time stipulated by this Court.

For Petitioner	: Mr.M.Kannan
For Respondents	: Mr.D.Muruganandham
R1&R2	Special Government Pleader

O R D E R

Since the petitioner already obtained an award under Workmen's Compensation Act, in order to execute the same, though Tribunal has sent communication dated 06.01.2017 to the 1st respondent, the 1st respondent had not so far implemented the order. Therefore, in this regard, the petitioner has given a representation on 26.03.2018.



2. Therefore, the learned counsel for the petitioner seeks indulgence of this Court by way of direction to the 1st respondent to consider the representation of the petitioner, in the light of the communication of the 2nd respondent having been forwarded to the first respondent on 06.01.2017 and pass orders thereon within a time stipulated by this Court.

3. I have heard the learned Additional Government Pleader for the respondents 1 and 2 in this regard.

4. Since the prayer sought for is innocuous in nature, as the execution of the award under Workmen's Compensation Act is to be undertaken only by the 1st respondent for whom already a communication has been sent and a representation to that effect has also been sent, there can be no further impediment for the 1st respondent to take necessary steps to execute the order.

5. In view of the same, this writ petition is disposed of with the following direction:

"That the first respondent is directed to implement/execute the order of the Workmen Compensation proceedings in W.C.No.28/07 as has been forwarded by the second respondent dated 06.01.2017 by considering the representation of the petitioner dated 26.03.2018 and pass necessary orders thereon within a period of six weeks from the date of receipt of a copy of this order." No costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Labour Deputy Commissioner,
Tirunelveli.

+ 1 CC TO Mr.M.KANNAN, ADVOCATE IN SR No. 61498
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 61625

RR

TE/RSK/SAR-2 : 08/05/2018 : 2P/5C

<https://hcservices.ecourts.gov.in/hcservices/>

ORDER MADE IN
W.P. (MD) No.7993 of 2018
16.04.2018