



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2018

CORAM :

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THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.8632 of 2018

K.Arumuganainar

... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The Assistant Commissioner of Labour,
Office of Deputy Commissioner of Labour,
Dindigul, Dindigul District.
3. The Management,
Tamil Nadu State Transport Corporation,
By pass Road, Dindigul Region,
Dindigul,
Dindigul District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to implement the order passed by the 3rd respondent herein in his proceedings in Na.Ka.No.A6/6482/2017 dated 12.03.2018 to recover the amount from the 3rd respondent due to be paid to the petitioner as per the award passed in P.G.No.29 of 2014 by the 2nd respondent dated 17.10.2017 within a specific time as stipulated by this Court.

For Petitioner : Mr.D.Selvaraj

For Respondents : Mrs.S.Srimathy, Spl.G.P. For RR1&2
No Appearance for R3

O R D E R

The prayer sought for herein is for a writ of Mandamus, directing the 1st respondent to implement the order passed by the 3rd respondent herein in his proceedings in Na.Ka.No.A6/6482/2017 dated 12.03.2018 to recover the amount from the 3rd respondent due to be paid to the petitioner as per the award passed in P.G.No.29 of 2014 by the 2nd respondent dated 17.10.2017 within a specific time as stipulated by this Court.



2. Heard Mr.D.Selvaraj, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents 1 and 2.

3. The grievance of the petitioner is that even though the second respondent i.e. the Assistant Commissioner of Labour, Office of Deputy Commissioner of Labour, Dindigul passed an order under Payment of Gratuity Act on 12.03.2018, the first respondent being the authority to execute that order, has not taken any steps to execute that order. Therefore, if a direction is given to the first respondent to execute the order of the second respondent dated 12.03.2018 within a time frame to be stipulated by this Court, the petitioner would be satisfied.

4. I have heard the learned Special Government Pleader appearing for the respondents 1 and 2 in this regard. She would submit that the order of the second respondent dated 12.03.2018 would be executed by the first respondent, within a reasonable time that may be fixed by this Court.

5. Considering the said submission made by both sides, this writ petition, at the admission stage, is disposed of with the following direction:

"The first respondent is directed to execute the order of the second respondent dated 12.03.2018, within a period of eight weeks from the date of receipt of a copy of this order."

6. With this direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Assistant Commissioner of Labour,
Office of Deputy Commissioner of Labour,
Dindigul, Dindigul District.

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

+ 1 CC TO Mr.D.SELVARAJ, ADVOCATE IN SR No. 62863



ARUL

TE/RSK/SAR-2 : 08/05/2018 : 2P/4C

W.P (MD) No.8632 of 2018
19.04.2018

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