



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.10901 of 2017

V.Chinnathambi

... Petitioner

Vs.

1. The District Collector,
Dindigul District,
Dindigul.

2. The Commissioner for Employees Compensation /
Deputy Commissioner of Labour,
Dindigul.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from recovering the amount much less than Rs.2,05,408/- awarded by the second respondent vide his award dated 30.04.2013 passed in W.C.No.99/2010 from the petitioner.

For petitioner : Mr. S.Ramu

For Respondents : Mr. J.Gunaseelan Muthiah

Additional Government Pleader

O R D E R

Heard, the learned counsel on either side.

2. The petitioner was arrayed as a respondent in W.C.No.99 of 2010 on the file of the Deputy Commissioner of Labour, Dindigul, in his official capacity. An award came to be passed in favour of the claimant. One Chinnakalai, who was engaged in construction of school compound wall, died during the course of his employment. Therefore the said claim petition came to be filed and award was passed ultimately. But then the said award has to be necessarily enforced only against the department and not against the petitioner herein in individual capacity. But on erroneous recovery certificate came to be issued. That is why the present writ petition was filed. During the pendency of the writ petition, the second respondent himself has issued revocation order dated 08.11.2017. Therefore the grievance projected in the writ petition no longer survives.



3. Recorded the revocation order passed by the second respondent, this writ petition is closed. No costs.

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Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District,
Dindigul.
2. The Commissioner for Employees Compensation /
Deputy Commissioner of Labour,
Dindigul.

+ 1 CC TO Mr.S.RAMU, ADVOCATE IN SR No. 47363
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 47900

PNN/TSG

TE/SKN-RSK/SAR-1 : 23/02/2018 : 2P/5C

ORDER MADE IN
W.P. (MD) No.10901 of 2017
08.02.2018