

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01-10-2019

Coram

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Contempt Petition No.2770 of 2016
in
W.P.No.12693 of 2014

1.Vimli Prasanna
2.Rohan
3.Ajay

.. Petitioners

vs.

1.Thiru U.Lakshmikanthan,
The Commissioner for Workmen Compensation,
Deputy Commissioner of Labour-I,
Teynampet,
Chennai-600 006.

2.Thiru S.A.Raman, I.A.S.,
The District Collector,
Vellore District,
Vellore.

.. Respondents

Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971 to punish the respondents for their non-compliance of the order of this Court made in W.P.No.12693 of 2014 dated 12.12.2014.

For Petitioner : Ms.C.Sangamithirai

For Respondents : Mr.M.Elumalai,
Government Advocate.

O R D E R

The contempt petition is filed to punish the respondents for their willful disobedience of the order 12.12.2014 dated passed by this Court in WP No.12693 of

2014.

2. This Court issued a Statutory Notice in view of the fact that on account of several adjournments, there was no reply from the respondents. The District Collector Mr.A.Shanmuga Sundaram, I.A.S., Vellore District, also present before this Court, who in turn made a submission stating that he conducted an enquiry and found that the employer one Mr.Subramaniam is not in a position to settle the interest, as he sustained injuries and taking treatment in the hospital.

3. This apart, the District Collector found that it would be very difficult to recover the interest as the employer Mr.Subramaniam has spent lot of amount for his medical treatment. This Court is of the considered opinion that under these circumstances, a practical and pragmatic approach is required. Undoubtedly, pursuant to the orders of the Commissioner for Workmen Compensation, the District Collector has to recover the award amount and settle the same in favour of the beneficiary.

4. It is brought to the notice of this Court that efforts were taken and the principal amount of Rs.4,26,080/- was recovered and settled in favour of the beneficiary. The interest portion alone is to be recovered and settled.

5. Under these circumstances, it is represented that it may not be possible for the Collector to recover the same in view of the fact that the family of the employer is suffering lot on account of the ailments of the employer Mr.Subramaniam. Under these circumstances, this Court is of an opinion that no further adjudication or consideration is required in respect of the order passed by this Court on 12.12.2014 in W.P.No.12693 of 2019, the interest amount alone as the same cannot be recovered stands waived and consequently, the dues towards the beneficiary is construed to be settled.

6. Accordingly, the contempt petition stands closed. However, there shall be no order as to costs.

SD/-

ASSISTANT REGISTRAR (COMM.CASES)

SVN

//Certified to be true copy//

Dated at Madras this the day of 2019.

COURT OFFICER (O.S.)

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Smi/31/10/2019

To

- 1.The Commissioner for Workmen Compensation,
Deputy Commissioner of Labour-I,
Teynampet,
Chennai-600 006.
- 2.The District Collector,
Vellore District,
Vellore.