



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.07.2019**

CORAM:

WEB COPY

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM**

W.P. (MD) No.19626 of 2015

K.Alagarsamy

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its
Secretary,
Rural Development and Panchayat Raj
Department,
Fort St.George,
Chennai 600 009.

2.The Directorate of Rural Development Department,
Panagal Building,
Saidapet,
Chennai 600 015.

3.The District Collector,
District Collectorate,
Virudhunagar District.

4.The Commissioner/Block Development Officer,
Kariyapatti Panchayat Union
Aruppukottai Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th respondent to forthwith pay award amount of Rs.8,192.50 (Rupees eight thousand one hundred ninety two and paise fifty only) together with interest at the rate of 12% with effect from 28.09.1996 till the date of realization.

For Petitioners : Mr.K.Raja

For R1 to R3 : Mr.K.Mu.Muthu
Additional Government Pleader



ORDER

The relief sought for in the present writ petition is for a direction to direct the fourth respondent to forthwith pay award amount of Rs.8,192.50 (Rupees eight thousand one hundred ninety two and paise fifty only) together with interest at the rate of 12% p.a., with effect from 28.09.1996.

2.The petitioner seeks for execution of the award passed by the Labour Court in I.D.No.315 of 1985 and the order was passed in C.P.No.404 of 1992 along with interest.

3.The learned counsel appearing for the writ petitioner states that the award was challenged by the Management in a writ petition in W.P.No.14660 of 1996 and the said writ petition was dismissed. Thus, the award amount is settled in favour of the writ petitioner. However, in view of the amended provision in the Industrial Dispute Act, more specifically, Section 11(B) of the Industrial Disputes Act, stipulates that the filing of an execution petition before the competent Court for the purpose of executing the award passed by the Labour Court. Thus, the writ petitioner is at liberty to approach the appropriate Court for execution of the award.

4.With the above direction, the present Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AD-I)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Secretary,
Government of Tamil Nadu,
Rural Development and Panchayat Raj
Department,
Fort St.George,
Chennai 600 009.

2.The Directorate of Rural Development Department,
Panagal Building,
Saidapet,
Chennai 600 015.

3.The District Collector,
District Collectorate,
Virudhunagar District.



4. The Commissioner/Block Development Officer,
Kariyapatti Panchayat Union
Aruppukottai Taluk,
Virudhunagar District.

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+1 CC to M/s.SPL GP (SR-76407[F] dated 19/07/2019)

+1 CC to M/s.K.RAJA, Advocate (SR-76432[F] dated 19/07/2019)

W.P. (MD) No.19626 of 2015
18.07.2019

NS

JM/31.07.2019/3P-7C