

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 16504 of 2018

Chinnaival

...Petitioner

-vs-

1. The Secretary,  
Tamil Nadu Construction Workers Welfare Board,  
8, Valluvarkottam High Road,  
Nungambakkam,  
Chennai - 600 034.

2. The Deputy Commissioner of Labour,  
O/o District Collector's Office,  
Dharmapuri District.

3. The Labour Officer,  
94, 80A Railway Station Road,  
Near Government Hospital,  
Dharmapuri - 636 701.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation dated 16.02.2018 by paying compensation to the Petitioner due to the death of the deceased and dispose of the same.

|                 |   |                                                |
|-----------------|---|------------------------------------------------|
| For Petitioner  | : | Mr. K.Nagarajan                                |
| For Respondents | : | Mr. D.Sathyaraj,<br>Special Government Pleader |

O R D E R  
(through video conference)

Heard Mr. K.Nagarajan, Learned Counsel for the Petitioner and Mr. D.Sathyaraj, Learned Special Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for a direction to the Respondents to consider the representation dated 16.02.2018 made by the Petitioner for payment of compensation for the death of the deceased Munusamy.

3. Learned Special Government Pleader appearing for the Respondents, on instructions, states that since the deceased Munusamy on 23.05.2009 died in a road accident and not in the workplace, the claim made by the Petitioner on 06.07.2009 has been rejected by Order in Na. Ka. No. 9949/2009 dated 05.03.2020 and a copy of the same has been produced. He has also filed a memo to that effect, which is placed on record.

4. In view of the subsequent events, nothing remains for further consideration in this Writ Petition. Though obvious, it is made clear that if the Petitioner is aggrieved by the aforesaid rejection of the claim, she is not precluded from working out her remedy for necessary relief before the proper forum in the manner recognized by law.

Accordingly, the Writ Petition is disposed on the aforesaid terms. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Secretary,  
Tamil Nadu Construction Workers Welfare Board,  
8, Valluvarkottam High Road,  
Nungambakkam,  
Chennai - 600 034.
2. The Deputy Commissioner of Labour,  
O/o District Collector's Office,  
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GMR(CO)  
KKV(08/10/2020)