

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2020

CORAM

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

W.P. No. 16508 of 2018

Rajeshwari

...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,
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 Vijayan.

3. Learned Special Government Pleader appearing for the Respondents, on instructions, states that that the application made by the Petitioner for compensation on 06.07.2015 for death of Vijayan in a road accident on 17.06.2015 has been rejected by Order in Na. Ka. No. 9202/2015 dated 29.08.2020 on the ground that another application from the Petitioner for compensation has been received through the Revenue Divisional Officer as death in work site in respect of the said Vijayan, which is under process, and the same benefit cannot be awarded twice, and a copy of that order 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 still has any grievance to be redressed, 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,
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GMR (CO)
KKV/08/10/2020