

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27.01.2020
CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU
W.P.No.34995 of 2019

S.Muthu

...Petitioner

Vs.

1.The District Collector,
Cuddalore,
Cuddalore District.

2.The Thasildar,
Chidambaram,
Cuddalore District.

3.The Labour Commissioner No.2,
Teynampet,
Chennai 600 006.

4.Malarkodi

...Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the respondents 1 and 2 to expedite the recovery proceedings against the fourth respondent on the basis of NKG-1/27145/2018 dated 23.10.2019.

For Petitioner : Mr.B.Manimaran

For Respondents : Mr.D.Suryanarayanan for R1 to R3
Additional Government Pleader
No Appearance for R4

O R D E R

The petitioner seeks for a mandamus to direct the respondents 1 and 2 to expedite the recovery proceedings against the fourth respondent on the basis of the order dated 23.10.1990.

2. In this writ petition, notice was ordered on the fourth respondent and despite service of such notice privately, he has not chosen to appear today either in person or through counsel. Her name is printed in the causelist. Mr.D.Suryanaryanan, learned Additional Government Pleader appears for the respondents 1 to 3.

3. Heard both sides.

4. The case of the petitioner in short is as follows:

On 18.09.2016, he met with an accident, which has resulted in loss of his right thumb finger. He filed a compensate case No.351 of 2016 before the third respondent claiming compensation from the fourth respondent. After hearing both sides, the third respondent passed an order on 08.08.2017, ordering a sum of Rs.2,73,606/- as compensation payable to the petitioner by the fourth respondent with 12% interest. Though the said order was passed as early as on 08.08.2017, the respondents 1 and 2 have not recovered the said sum from the fourth respondent and deposited the same before the third respondent till this date. Therefore, the present writ petition is filed with the relief as stated supra.

5. As noted above, the fourth respondent has not come forward to appear before this Court and put forth her case. It is stated by the learned counsel for the petitioner that the order passed by the third respondent dated 08.08.2017 has become final, conclusive and binding on the parties, since no appeal is filed against the said order.

6. Learned Additional Government Pleader for the respondents 1 to 3 submitted that appropriate action will be taken by the respondents 1 and 2 to recover the amount ordered by the third respondent within a reasonable time.

7. Considering the above stated facts and circumstances and in view of the fact that the fourth respondent has not come forward to place any contra facts, this Court is left with no other option except to dispose the writ petition with direction to the respondents 1 and 2 to take appropriate action to recover the amount ordered by the third respondent and deposit the same before the third respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-VI)

// True Copy//

Sub Assistant Registrar

vri

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To

1.The District Collector,
Cuddalore,
Cuddalore District.

2.The Thasildar,
Chidambaram,
Cuddalore District.

3.The Labour Commissioner No.2,
Teynampet,
Chennai 600 006.

+1cc to Mr.B.Manimaran, Advocate, SR.No.5899.

W.P.No.34995 of 2019

RGN(CO)
CSR: 10.03.2020



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