



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.1476 of 2021

P.Ulaganathan

...Petitioner

vs.

1. The District Collector,  
O/o. The District Collector,  
Salem District, Salem.
2. The Commissioner for Workmen Compensation &  
Deputy Commissioner of Labour,  
Salem District, Salem.
3. The Tahsildar,  
O/o. The Salem Taluk Office,  
Salem & District.

4. R.P.Srinivasan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1<sup>st</sup> and 3<sup>rd</sup> respondents to recover a sum of Rs.39,781/- with 6% interest per annum from the date of the death of the petitioner's mother, from the 4<sup>th</sup> respondent as computed by the 2<sup>nd</sup> respondent/the Commissioner for Workmen's Compensation, Salem in W.C.No.103/1992 dated 15.02.1993 based on the petitioner's recent representation dated 09.01.2021 within a time frame.

For Petitioner : Mr.G.Balamanikandan

For Respondents : Mr.S.Arumugam,  
Government Advocate for R1 to R3  
O R D E R

The petitioner is one among the legal heirs of the deceased / workman, who had the benefit of the order passed by the authority under the Workmen Compensation Act, 1923 in W.C.No.103/1992 dated 15.02.1993. After about 28 years, the present writ petition has been filed for implementation of the



award of the authority.

2. Though notice has been served on the fourth respondent and his name printed in the cause list, none appears on his behalf.

3. The affidavit filed in support of the writ petition does not substantiate as to why the legal heirs of the deceased / workman has not chosen to implement the award of the authority within a reasonable time. After lapse of 28 years, this Court also does not expect to get proper instructions either from the Government authorities with regard to the steps taken for recovery of the award amount under the Revenue Recovery Act. The employer has also chosen not to appear before this Court and thus, this Court is handicapped with instructions with regard to any payment that may have been made after the award was passed. In the absence of any satisfactory and acceptable reason for the delay in filing the present writ petition, this Court is of the view that the present writ petition does not have any merit.

4. Hence, this writ petition stands dismissed on the ground of delay and laches. No costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

Jvm

To

1. The District Collector,  
O/o. The District Collector,  
Salem District, Salem.
2. The Commissioner for Workmen Compensation &  
Deputy Commissioner of Labour,  
Salem District, Salem.
3. The Tahsildar,  
O/o. The Salem Taluk Office,  
Salem & District.

+1cc to Mr.G.Balamanikandan, Advocate, S.R.No.56150  
+1cc to the Government Pleader, S.R.No.56188

W.P.No.1476 of 2021

BS(CO)  
RGA(12/11/2021)