

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2021

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.5492 of 2021

K.Sudhakar

... Petitioner

Vs.

1. The District Collector,
O/o. Chennai District Collector,
Chennai.

2. The Joint Commissioner of Labour -II,
O/o. Joint Commissioner of Labour -II,
DMS Compound,
Labour Welfare Board Building,
Chennai - 600 006.

3. The Tahsildar,
O/o. Maduravoyal Taluk Tahsildar,
Maduravoyal.

4. S.Mohan

... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the first and third respondents to initiate proceedings to implement the award for the compensation made in E.C.No.102 of 2017 dated 06.03.2018 and pay the compensation to the petitioner under Revenue Recovery Act and pay the above said amount to the petitioner.

For Petitioner : Mr.D.Bharathy

For Respondent

Nos.1 to 3 : Mr.B.Anand

Government Advocate

O R D E R

The petitioner has obtained an Award under the Employees' Compensation Act, on 06.03.2018. But, the employer has failed to make the payment as awarded. Therefore, he pursued the matter seriously and yet no action has been taken.

2. At his instance, the second respondent sent a communication to the first respondent to initiate revenue recovery proceedings and recover the money from the fourth respondent. Even though the second respondent addressed to the first respondent as early as 01.07.2019, no action was taken. The petitioner again issued a legal notice and the second respondent had once again, sent a communication dated 17.09.2019. The first respondent, in turn, sent a communication to the third respondent on 23.10.2019. In spite of the same, no action has been taken. Again, the petitioner issued a notice on 30.12.2019 and the first respondent again, issued a reminder to the third respondent on 27.05.2020. Being aggrieved over the inaction of the third respondent, he directly issued a legal notice on 09.01.2021 to the third respondent and approached this Court for early disposal.

3. Even though he has sought for revenue recovery action against two persons, he restricts his prayer in respect of the fourth respondent alone. Therefore, a direction is given to the first and third respondent to consider the request made by the petitioner in accordance with law and to take appropriate action after giving notice to the fourth respondent and the said-exercise shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this order.

With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
O/o. Chennai District Collector,
Chennai.
2. The Joint Commissioner of Labour -II,
O/o. Joint Commissioner of Labour -II,
DMS Compound,
Labour Welfare Board Building,
Chennai - 600 006.

3. The Tahsildar,
O/o. Maduravoyal Taluk Tahsildar,
Maduravoyal.

+1cc to the Government Pleader, S.R.No. 14836

W.P.No.5492 of 2021

PL (CO)
GN (26/03/2021)



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