



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.2230 of 2016

M.Sudalaiyandi Konar

... Petitioner

Vs.

1. The Deputy Commissioner of Labour,
(Employee's Compensation Officer),
Office of the Deputy Commissioner of Labour,
Tirunelveli.

2. The Collector,
Tirunelveli District.

3. The Tahsildar,
Alankulam (Taluk),
Tirunelveli District.

4. A.Velu

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the third and fourth respondents to recover a sum of Rs.4,05,396/- along with interest at the rate of 12% being payable to the petitioner under an award passed in W.C.No.112 of 2009 as certified by the first respondent in this proceedings dated 10.10.2014 under Revenue Recovery Act pursuant to the representation of the petitioner dated 15.04.2015 to the third respondent and consequently direct the first respondent to pay the recovered amount to the petitioner within the time stipulated by this Court.

For Petitioner

: Mr.R.Krishnan

For R-1 to R-3

: Mr.M.Lingadurai,
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second and third respondents to recover



the amount of a sum of Rs.4,05,396/- (Rupees Four Lakhs Five Thousand Three Hundred and Ninety Six only) along with interest payable to the petitioner under the award passed in W.C.No.112 of 2009, ascertained by the first respondent, in his proceedings, dated 10.10.2014, under the Revenue Recovery Act.

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2. Heard Mr.R.Krishnan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

3. It is seen from records that the award was passed in favour of the petitioner under the Workmen Compensation Act and this award is said to have become final. The same has already been certified by the first respondent, through proceedings, dated 10.10.2014. The petitioner has made a representation to the second and third respondents on 15.04.2015 to recover the amount along with interest. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Taking into consideration the facts and circumstances of the case and the award passed in favour of the petitioner, there shall be a direction to the second and third respondents to immediately initiate the proceedings for recovery of the amount that is payable to the petitioner under the award and complete the process within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the second and third respondents along with all the relevant documents and also a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

tsg

<https://hcservices.ecourts.gov.in/hcservices/>



NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Deputy Commissioner of Labour,
(Employee's Compensation Officer),
Office of the Deputy Commissioner of Labour,
Tirunelveli.
2. The Collector,
Tirunelveli District.
3. The Tahsildar,
Alankulam (Taluk),
Tirunelveli District.

+1 CC to SPL GP (SR-20725[F] dated 30/06/2021)

+1 CC to MR.R.KRISHNAN, Advocate (SR-20952[F] dated 02/07/2021)

Order made in
W.P. (MD) .No.2230 of 2016
Dated :
29.06.2021

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KM(08.07.2021) 3P 6C