



WEB COPY



W.P.No.25014 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.25014 of 2021

K.Lakshmi

... Petitioner

VS.

1.The State of Tamil Nadu
Rep. by its Secretary to Government
Labour and Employment Department
Fort St. George, Chennai – 600 009.

2.The Assistant Commissioner of Labour
Social Security Scheme
Tiruppur
Tiruppur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the second respondent to disburse a sum of Rs.5,00,000/- (Rupees Five Lakh only) as per G.O. (Ms.) No.65, Labour and Employment (I 2) Department dated 01.03.2016 based on the application submitted by the petitioner on 30.08.2019 within a time frame to be fixed by this Court.

For Petitioner : Mr.C.Munusamy

For Respondents : Mr.M.Bindran
Additional Government Pleader



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ORDER

WEB COPY This writ petition has been filed for issuance of a Writ of Mandamus, directing the 2nd respondent to disburse a sum of Rs.5,00,000/- (Rupees Five Lakh only) as per G.O. (Ms.) No.65, Labour and Employment (I 2) Department, dated 01.03.2016 based on the application submitted by the petitioner dated 30.08.2019 within a time frame to be fixed by this Court.

2. According to the petitioner, her husband was working at the construction site and he met with an accident during the course of his employment under his employer namely, M/s. TPK Infra Projects and suffered serious injuries. The petitioner has approached the Assistant Commissioner of Labour, Social Security Scheme (SSS), Tiruppur/the 2nd respondent herein on 09.09.2019, seeking compensation as per the Government Order in G.O. (Ms.) No.65, Labour and Employment (I 2) Department, dated 01.03.2016. However, there is no response from the 2nd respondent. Hence, she filed the present writ petition before this Court.

3. The 2nd respondent has filed counter affidavit, wherein it is stated



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that as per the said Government Order in G.O. (Ms.) No.65, Labour and Employment (I 2) Department, dated 01.03.2016, the persons completing 60 years of age, who met with an accident cannot be eligible to get compensation from the Government. Therefore, the 2nd respondent has not considered the representation of the petitioner for granting compensation.

4. In view of the specific age bar as per the said Government Order, the present writ petition cannot be entertained and the same is liable to be rejected. It is open to the petitioner, if any other remedy available, she can approach the authority concerned.

5. With the above observations, the writ petition stands dismissed. No costs.

17.03.2022

Index : Yes / No
Internet : Yes / No
dm



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D.KRISHNAKUMAR. J

dm

To

- 1.The Secretary to Government
State of Tamil Nadu
Labour and Employment Department
Fort St. George, Chennai – 600 009.
- 2.The Assistant Commissioner of Labour
Social Security Scheme
Tiruppur
Tiruppur District.

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