



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.3174 of 2014

A.Kalaiarasan

...Petitioner

vs.

1. The Commissioner,
Workmen Compensation,
Salem.
2. The District Collector,
Salem.
3. The District Collector,
Coimbatore.
4. K.Manoharan,
5. A.B.Rajendiran

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1, 2 & 3 to recover the compensation amount of Rs.1,39,602/- together with interest at the rate of 7.5 % under Section 31 of the Revenue Recovery Act from the 4th and 5th respondent.

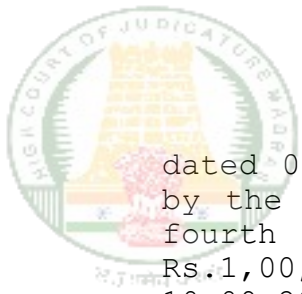
For Petitioner : M/s.D.Nagasaila

For Respondents : Mr.P.Anandakumar,
Government Advocate for R1 to R3
Mr.Thanjai P.N.Chezhan for R4

O R D E R

The prayer in the writ petition is for a Mandamus directing the respondents 1, 2 & 3 to recover the compensation amount of Rs.1,39,602/- together with interest at the rate of 7.5 % under Section 31 of the Revenue Recovery Act from the respondents 4 and 5.

2. The fourth respondent has filed a memo before this Court



dated 09.01.2019 stating that in compliance of the order passed by the Labour Court in W.C.No.407 / 2006 dated 24.04.2006, the fourth respondent has paid a sum of Rs.1,32,602/- (i) Rs.1,00,000/- by way of Demand Draft bearing No.942585 dated 10.09.2014 drawn on Indian Bank, (ii) Rs.25,000/- by way of Demand Draft bearing No.277765, dated 28.08.2014 drawn on SBI Bank, (iii) Rs.7,602/- by way of Demand Draft bearing No.942905 dated 03.11.2014 drawn on Indian Bank and however, the fifth respondent has not come forward to pay damages, nor has made any appearance before this Court.

3.The learned counsel for the petitioner has not disputed the said fact and he is also not pressing any other relief as against the fifth respondent and prays that the petitioner may be permitted to withdraw the aforesaid amount of Rs.1,32,602/- lying to the credit of W.C.No.407 / 2006, by approaching the Labour Court.

4.The learned counsel for the fourth respondent has no serious objection for withdrawal of the said amount by the petitioner.

5.Accepting the submission made by the learned counsel for the petitioner, this Court grants liberty to the petitioner to approach the Labour Court for withdrawal of the aforesaid amount lying to the credit of W.C.No.407 / 2006.

6.The Writ Petition stands closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Jvm

To

1. The Commissioner,
Workmen Compensation,
Salem.
2. The District Collector,
Salem.
3. The District Collector,
Coimbatore.

W.P.No.3174 of 2014

PCH(CO)
RGA(08/02/2022)