



W.P.(MD)No.187 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.187 of 2020

Tmt.Veerammal

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Collector Office Building,
Sivagangai.

2.The Inspector of Labour/
Assistant Commissioner of Labour,
Collector Office Complex,
Sivagangai.

3.The Management,
Appallo Petrol Bunk,
(Indian Oil Corporation Dealer),
Mudiarasan Salai,
Karaikudi,
Sivagangai District.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to recover the amount of Rs.4,22,615/- with 12% interest, as mentioned in



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the order in W.C.No.94 of 2012, dated 10.10.2014, from the third respondent and disburse the same to the petitioner.

For Petitioner	: Mr.T.Ravichandran
For R-1 & R-2	: Mr.S.P.Maharajan, Special Government Pleader
For R-3	: No Appearance

ORDER

This writ petition has been filed for a direction to the first respondent to recover the amount of Rs.4,22,615/- with 12% interest, as mentioned in the order in W.C.No.94 of 2012, dated 10.10.2014, from the third respondent and disburse the same to the petitioner.

2. The case of the petitioner is that his son by name Ramesh was working as Pump Man in the third respondent petrol bunk. On 27.04.2012, he went to the petrol bunk and at about 11.30 a.m., while attending duty, he fell down and got injured. Immediately, he was taken to Government Hospital, Karaikudi, where he was given first aid and thereafter, he was taken to Madurai Rajaji Hospital and admitted as



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inpatient. Thereafter on 01.05.2012, at about 12.30 noon, he passed away. At the time of death, the petitioner's son was aged 22 years old and was drawing salary of Rs.7,000/- per month. For the aforesaid incident, the Law Enforcing Agency registered a case in Crime No.342 of 2012 under Section 174 Cr.P.C. Thereafter, the petitioner filed a claim petition in W.C.No.94 of 2012 under the Workmen Compensation Act, before the Commissioner of Workmen Compensation(Deputy Commissioner of Labour), Madurai, arraying the third respondent as the respondent and after adjudication, the Commissioner of Workmen Compensation, passed an order on 10.10.2014, directing the third respondent to pay compensation of Rs.4,22,615/- and deposit the same within a period of 30 days, failing which, directed to pay the compensation amount with 12% interest. However, the said order was not implemented till date and no appeal was also filed by the third respondent Management. Till date, the first respondent has not recovered the said amount from the third respondent. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.



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3. The learned Special Government Pleader appearing for the respondents 1 and 2, on instructions, would submit that the first respondent District Collector, Sivagangai District, had already initiated proceedings in Na.Ka.B3-34354-2021, dated 24.12.2021 and the same will be concluded within a period of four months.

4. In view of the same, the first respondent is directed to implement the order, dated 24.12.2021 and recover the amount as ordered by the Commissioner of Workmen Compensation(Deputy Commissioner of Labour), Madurai in W.C.94 of 2012, dated 10.10.2014, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of.
No costs.

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M.DHANDAPANI,J.

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