



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7594 of 2022

WEB COPY

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... Petitioner

vs.

1.The District Collector,
Trichy District, Trichy.

2.The Tahsildar,
Trichy East, Trichy District.

3.N.K.Ismail Khan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 2 to initiate appropriate proceedings under Revenue Recovery Act in furtherance of the award of compensation, dated 24.02.2020 passed by the Workman Compensation Commissioner/Joint Commissioner of Labour in W.C.No.79 of 2012 against the third respondent within a time stipulated by this Court.

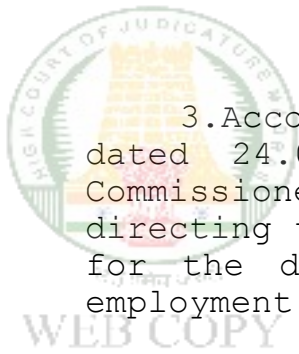
For Petitioner :Mr.J.Anandkumar

For Respondents :Mr.D.Sasikumar
Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 3 to initiate appropriate proceedings under the Revenue Recovery Act in furtherance of the award of compensation, dated 24.02.2020 passed by the Workman Compensation Commissioner/Joint Commissioner of Labour in W.C.No.79 of 2012 against the third respondent within a time stipulated by this Court.

2.At the outset, the learned Additional Government Pleader would submit that the representation filed by the petitioner has not been enclosed along with this Writ Petition. The learned Counsel for the petitioner submits that the petitioner is willing to submit a fresh representation.



3. According to the petitioner, a workman compensation award, dated 24.02.2020 has been passed by the Workman Compensation Commissioner/Joint Commissioner of Labour in W.C.No.79 of 2012 directing the third respondent to pay compensation to the petitioner for the death of her husband Murugan during the course of his employment.

4. According to the petitioner, till date, the compensation amount has not been paid to her. In such circumstances, she has given a representation to the official respondents calling upon them to initiate revenue recovery proceedings against the third respondent. Since the said representation has not been considered till date, the petitioner has filed this Writ Petition.

5. Since a copy of the representation sent by the petitioner has not been enclosed along with this Writ Petition, the petitioner will have to give a fresh representation to the second respondent. The learned Counsel for the petitioner has agreed for the same. No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law.

6. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the second respondent seeking for initiating revenue recovery proceedings under the Revenue Recovery Act against the third respondent for non-payment of the determined compensation under the compensation award dated 24.02.2020 passed by the Workman Compensation Commissioner/Joint Commissioner of Labour in W.C.No.79 of 2012 within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent shall consider the same and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner within a period of three months thereafter.

7. With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Cmr



To

1.The District Collector,
Trichy District, Trichy.

2.The Tahsildar,
Trichy East, Trichy District.

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RD(05.05.2022) 3P 3C