



W.P.(MD).No.12366 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.12366 of 2022

Karuppayee

... Petitioner

Vs.

1.The Joint Commissioner of Labour,
Thiruchirappalli.

2.The General Manager,
Sri Ambiga Sugars Limited,
Kottur,
Thuyili Post,
Thanjavur District.

3.The District Collector,
Thanjavur District,
Thanjavur.

...Respondents

(R-3 is impleaded vide Court order dated 02.08.2022 in W.M.P.(MD).No.11692 of 2022 in W.P.(MD).No.12366 of 2022)

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent Commission to execute the recovery proceedings as per the recovery notice issued by his proceedings in No.Aa1/1951/15 dated 13.12.2019 within a time frame fixed by this Court.



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For Petitioner : Mr.A.Purantharadhas
For R-1 and R-3 : Mrs.D.Farjana Ghoushia,
Special Government Pleader.
For R-2 : No Appearance.

ORDER

The petitioner herein seeks for implementation of the order passed by the first respondent herein under the provisions of the Workmen's Compensation Act. By an order, dated 12.04.2019, the first respondent herein had directed the second respondent to pay a sum of Rs.7,68,727/- as compensation, together with interest at the rate of 12% per annum.

2. In spite of the aforesaid order having been passed in the year 2019, it is stated that the second respondent herein had neither complied with the order nor challenged the same. If that be so, the appropriate remedy to recover the compensation awarded by the first respondent would be through the provisions of the Revenue Recovery Act.

3. The District Collector of Thanjavur District has been impleaded as a party respondent in the Writ Petition. Though the second respondent has been served with notice and his name is printed in the cause list, none appears on his behalf.



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4. In the light of the above findings, there shall be a direction to the District Collector of Thanjavur District / the third respondent herein to initiate proceedings under the provisions of the Revenue Recovery Act for recovery of the compensation awarded under the order of the first respondent, dated 12.04.2019 and conclude the same, within a period of three (3) months from the date of receipt of a copy of this order.

5. This Writ Petition stands allowed accordingly. There shall be no order as to costs.

02.08.2022

Index : Yes / No
Internet : Yes/ No
Lm

To

1.The Joint Commissioner of Labour,
Thiruchirappalli.

2.The District Collector,
Thanjavur District,
Thanjavur.



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M.S.RAMESH, J.

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