



W.P(MD)No.23213 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.23213 of 2022

M.Ponnar

... Petitioner

Vs.

1.The District Collector,
District Collector Office,
Dindigul, Dindigul District.

2.The Thasildar,,
Nilakkottai Taluk Office,
Dindigul District.

3.The Little Drops Old Age Home,
Head Office, (A Public Charitable Trust),
Rep by its Trustee M.Ramesh,
No.1, College Road, Koluthuvanchery,
Paraniputhur, Chennai-600122.

4.The Joint Commissioner of Labour,
Dindigul District, Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 and 2 to direct the 3rd respondent to Disburse the petitioner's pending salary of Rs.4,01,000/- by considering petitioner's representation dated 13.07.2022 within a stipulated time.



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For Petitioner : Mr.S.Mandhira Lingeswaran

For Respondents : Mr.J.K.Jayaseelan,
Govt. Advocate for R1, R2 & R4.

ORDER

Heard the learned counsel for the writ petitioner and the learned Government Advocate for the official respondents.

2.The writ petitioner had obtained an order in his favour at the hands of the fourth respondent. Questioning the same, the third respondent filed W.P.(MD)No.20785 of 2011. The said writ petition was dismissed on 21.03.2022. Aggrieved by the same, the third respondent has filed W.A.(MD)No.411 of 2022. It is true that C.M.P.(MD)No.4151 of 2022 filed by the third respondent herein seeking interim stay was dismissed by the Hon'ble Division Bench on 05.05.2022. The petitioner wants this Court to direct the revenue authority to in turn direct the third respondent herein to disburse the pending dues by considering his representation dated 13.07.2022.

3.Since the Hon'ble Division Bench is seized of the matter in W.A.(MD)No.411 of 2022, I am not inclined to give any direction in this writ petition. It is open to the writ petitioner herein to file a civil miscellaneous



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petition before the Hon'ble Division Bench in the pending writ appeal for the direction now sought for in the writ petition. Of course, it is open to the second respondent also to enforce the order passed in favour of the writ petitioner by invoking the provisions of the Revenue Recovery Act, since the Hon'ble Division Bench had dismissed the petitioner for interim stay filed by the third respondent herein.

4. Leaving it open to the second respondent to take appropriate action on merits and in accordance with law and granting liberty to the writ petitioner to file civil miscellaneous petition before the Hon'ble Division Bench, the writ petition is disposed of. No costs.

10.10.2022

Index : Yes / No
Internet : Yes/ No
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To:

1. The District Collector,
District Collector Office,
Dindigul, Dindigul District.
2. The Thasildar,,
Nilakkottai Taluk Office,
Dindigul District.
3. The Joint Commissioner of Labour,
Dindigul District, Dindigul.



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G.R.SWAMINATHAN, J.

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