



W.P.No.11174 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Writ Petition No.11174 of 2013

M.Rani Petitioner

-Vs-

1.The Secretary to the Government
Labour and Employment Department
Secretariat, Chennai-9.

2.The Management
Vasambadi Estate Rep.by
Thiru.RMK.Valliappan and
LSP.Kannappan, Joint Receivers
Yercaud – 636 601.

3.The District Collector
Salem.

4.The Tahsildar
Yercaud Taluk, Salem District
Yercaud – 636 601.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd respondent Collector and the 4th respondent Tahsildar to recover the amount due to the petitioner from the 2nd respondent Management of Vasambadi Estate together with interest as per G.O.(D) No.56 issued by the Labour and Employment Department dated 23.01.2004 and pay the same to the petitioner award costs. (Prayer amended vide order dated 22.06.2023 made in MP No.1/2013 in W.P.No.11174/2023 by VLNJ)



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For Petitioner : Mr.K.M.Ramesh, Senior Counsel
for Mr.S.Appunu
For Respondents : Mr.G.Anand for
M/s.T.S.Gopalan & Co.,

ORDER

The Tahsildar, Yercaud has filed a report dated 27.06.2023 stating that the claim made by the petitioner Mrs.M.Rani had already been paid to her as early as on 22.02.2004.

2. This has been stoutly denied by Mr.K.M.Ramesh, learned Senior Counsel appearing for the petitioner, as to whether the signature is forged or not or whether the person who received the amount was Mrs.Rani or someone else.

3. This cannot be gone into in this proceeding. Therefore, liberty is granted to the petitioner to approach the jurisdictional labour Court by way of an application under Section 11B of the Industrial Disputes Act to execute the award passed in C.P.No.460 of 2002. The labour Court, on filing of such an execution petition, shall decide whether the receipt is in fact been executed by Mrs.Rani or it is an act of forgery. The petitioner shall file the execution petition within one month from today. On filing of such execution petition, the labour Court shall dispose of the same within four months from the date of such filing of the petition. The Management shall be put on notice prior to taking up of the



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execution petition for adjudication. The writ petition is disposed of accordingly.

No costs.

30.06.2023

Index : Yes/No

Neutral Citation : Yes/No

Speaking Order / Non-speaking order

KST

To

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V. LAKSHMINARAYANAN, J.

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W.P.No. 11174 of 2023

30.06.2023