



WEB COPY



W.P.No.15777 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.15777 of 2011 and
MP.No.1 of 2011

R.A.Senthilkumar

... Petitioner

Vs.

- 1.The District Collector,
Namakkal District,
Namakkal
 - 2.The Tahsildar,
Paramathy Velur Taluk,
Paramathy, Namakkal District
 - 3.The Revenue Inspector,
Nallur,
Paramathy Velur Taluk,
Namakkal District
 - 4.The Village Administrative Officer,
Maniyanur Village,
P.Velur Taluk, Namakkal District
 - 5.K.Rangasamy @ Raj
 - 6.M.K.Samy
- (R5 &6 impleaded as per order dated
18.08.2011 in MP.No.2 of 2011
in WP.No.15777 of 2011)

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of mandamus forbearing the respondents herein from proceed against the petitioner under Revenue Recovery Act



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so as to execute the award dated 18.09.2006 made in WC.No.70 of 2004 on the file of the Deputy Commissioner of Labour, Thirunelveli.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents

For R1 to 4 : Dr.T.Seenivasan,
Special Government Pleader

For R5&6 : No appearance

ORDER

This writ petition has been filed to forbear the respondents from proceeding against the petitioner under Revenue Recovery Act in order to execute the award passed in WC.No.70 of 2004 dated 18.09.2006.

2. The fifth respondent filed Workman Compensation Application before the Commissioner of Labour on the ground that on 19.09.2005, while he was working in a well belongs to one, Jesurajan, the side wall of the well fell on him and thereby he sustained injuries. The Labour Court awarded a sum of Rs.1,81,589/- in favour of the fifth respondent payable by all the three persons including the petitioner.



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Therefore, the share of the petitioner comes around Rs.60,530/-. As directed by the Labour Court, the petitioner had deposited a sum of Rs.60,530/- by way of demand draft No.947769 drawn on Indian Bank dated 14.11.2008 and deposited the demand draft before the third respondent. Even without considering the same, now the third respondent initiated recovery proceedings under the Revenue Recovery Act.

3. Considering the above facts and circumstances of the case, the third respondent is directed to consider the representation of the petitioner dated 12.10.2010 and pass appropriate orders in the light of the demand draft which was already deposited by the petitioner.

4. With the about direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

18.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 1.The District Collector,
Namakkal District,
Namakkal
- 2.The Tahsildar,
Paramathy Velur Taluk,
Paramathy, Namakkal District
- 3.The Revenue Inspector,
Nallur,
Paramathy Velur Taluk,
Namakkal District
- 4.The Village Administrative Officer,
Maniyanur Village,
P.Velur Taluk, Namakkal District
5. The Government Advoate,
High Court, Madras.

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