



WEB COPY



W.P.No.37975 of 2016

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 12.07.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.No.37975 of 2016**

C.Periyasamy

... Petitioner

Vs.

1.The Deputy Commissioner of Labour/  
Workmen Compensation  
Office of District Collector,  
4th Floor,  
Salem.

2.The District Collector,  
Office of the District Collector,  
Erode.

3.Nanthu Kishore Rathi

... Respondents

**Prayer:**

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to recover the award amount passed in the order dated 03.02.2014 in the proceedings of Pa.E.Va.(W.C) No.481 of 2008 on the file of the first respondent under Revenue Recovery Act with interest and consequently directed to pay the said amount to the petitioner herein within an appropriate time.

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For Petitioner : Mr.R.Nalliyappan  
For Respondents : Mr.M.Prem Kumar for R1 and R2  
Government Advocate

### **ORDER**

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 and 2 to recover the award amount passed in the order dated 03.02.2014 in the proceedings of Pa.E.Va.(W.C) No.481 of 2008 on the file of the first respondent under Revenue Recovery Act with interest and consequently direct to pay the said amount to the petitioner.

2.The case of the petitioner is that when the petitioner was working as Coolie under the third respondent, while mixing Sodium Sulphide and Hot Water along with Peroxide, the chemicals unfortunately fell over his right eye, due to which, he lost his vision in the right eye and is having low vision capacity in the left eye. Hence, the petitioner filed application before the first respondent claiming compensation and the first respondent vide order dated 03.02.2014 awarded a sum of Rs.4,67,136/- as compensation, however, the third respondent did not implement the award. Hence, the petitioner made representation to the respondents 1 and 2 to recover the award



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amount under the Revenue Recovery Act, 1890 and since the same was not considered, has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that without going into the merits of the case, it would suffice, if this Court issue direction to the respondents 1 and 2 to consider the petitioner's representation dated 26.09.2016 in terms of Section 31 of the Industrial Disputes Act and to pass appropriate orders, within a reasonable time frame.

4.Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents 1 and 2 to consider the petitioner's representation dated 26.09.2016, in terms of Section 31 of the Industrial Disputes Act and pass appropriate orders, within a period of six weeks from the date of receipt of a copy of this order.

5.This writ petition is accordingly disposed of. No costs.

**12.07.2023**

pri  
Speaking Order/ Non Speaking Order  
Index: Yes/ No      Internet: Yes/ No

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**M.DHANDAPANI,J.**  
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To

- 1.The Deputy Commissioner of Labour/  
Workmen Compensation  
Office of District Collector,  
4th Floor,  
Salem.
- 2.The District Collector,  
Office of the District Collector,  
Erode.

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