



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.18895 of 2023

G.Selvam

...Petitioner

Vs

1.The District Collector,
Chennai District,
Rajaji Salai, Chennai – 1.

2.The Joint Commissioner of Labour-1,
Authority under the payment of Wages Act,
Teynampet, Chennai – 6.

3.The Management,
represented by its General Manager,
Iberry Auxus Technology Private Limited,
No.137, First Floor,
Mannadu, Broadway,
Chennai - 108

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to initiate proceedings under Revenue Recovery Act against the 3rd respondent to recover the amount due under payment of Wages Act, pursuant to the order dated 21.10.2019 passed by



2nd respondent in P.W No. 32 of 2019, on the file of joint Commissioner of Labour-1 at Chennai and followed by his communication to the 1st respondent in ref. B2/1123/19 dated 06.01.2021 and deposit the amount realized thereon, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Siva

For Respondents : Mr.G.Krishnaraja
Additional Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to act upon the representation made by the petitioner wherein, the petitioner has sought for initiation of proceedings under the Revenue Recovery Act, 1890 against the 3rd respondent to recover the amount due and payable pursuant to the order passed by the 2nd respondent dated 21.10.2019 in P.W.No.32 of 2019.

2.Heard Mr.S.Siva, learned counsel appearing on behalf of the petitioner and Mr.G.Krishnan, learned Additional Government Pleader appearing on behalf of the respondents 1 and 2.



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3.The case of the petitioner is that the 3rd respondent Company had committed default in payment of wages and hence, the petitioner approached the 2nd respondent and the 2nd respondent by an order dated 21.10.2019 made in P.W.No.32 of 2019, directed the 3rd respondent to pay determined sum of money. The grievance of the petitioner is that the 3rd respondent did not comply with this order and the representation made to the 1st respondent to initiate proceedings under the Revenue Recovery Act, also did not yield any response. Aggrieved by the same, the present writ petition has been filed before this Court.

4.Taking into consideration the facts and circumstances of the case and the nature of grievance that has been expressed by the petitioner, there shall be a direction to the 1st respondent to act upon the representation made by the petitioner on 22.12.2022 and proceed further on its own merits and in accordance with law and the necessary proceedings shall be initiated for the recovery of the amount from the 3rd respondent, within a period of four weeks from the date of receipt of copy of this order.



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N.ANAND VENKATESH, J

SSR

5.This writ petition is disposed of in the above terms. No Costs.

27.06.2023

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

ssr

To

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