



W.P.No.23566 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

W.P.No.23566 of 2022

Alamelu

... Petitioner

Vs.

1.The Deputy Commissioner of Labour -1,
Office of the Deputy Commissioner of Labour,
Chennai - 06.

2.The Collector,
Chennai District, Chennai - 01.

3.The Tahsildar,
Perambur Taluk,
Perambur, Chennai - 11.

4.Boobalan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2 & 3 to recover the entire compensation with interest as per the Award passed by the first respondent in W.C.No.174/2007 dated 05.11.2013 under Revenue Recovery Act from the respondents.

For Petitioner : Mr.Kovi Ramalingam

For RR1 to 3 : Mr.D.Gopal, GA



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ORDER

One Mohan, the husband of the writ petitioner, was a Plumber by profession and his services were utilized by the fourth respondent. On 27.07.2006, while he was working in the house of the fourth respondent he met with an accident and sustained grievous injuries. Thereafter, he filed a petition in W.C.No.174/2007 before the Deputy Commissioner of Labour -1, Chennai under Workmen Compensation Act seeking compensation for the injuries sustained by him. Subsequently, the said Mohan died. The writ petitioner is his wife.

2.The grievance of the writ petitioner is that though the first respondent Deputy Commissioner of Labour -1, Chennai vide his orders dated 05.11.2013 in W.C.No.174/2007 directed the fourth respondent to pay a sum of Rs.2,34,821/- under Workmen Compensation Act, 1923 and a certificate along with a communication in this regard was sent to the second respondent, the District Collector, Chennai, the fourth respondent had so far paid only a sum of Rs.80,000/-.



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3. Mr.Kovi Ramalingam learned counsel for the writ petitioner would contend that though the orders passed by the first respondent states that the fourth respondent has to pay the entire compensation amount within a period of 30 days from the date of the order, the same has not been complied with in letter and spirit.

4. Mr.D.Gopal, learned Government Advocate for the respondents 1 to 3 would contend that the first respondent had requested the second respondent to recover the amount under the Revenue Recovery Act and that they have recovered only a sum of Rs.80,000/- as per the proceedings bearing No.அ3/2589/2017 dated 27.11.2021 of the first respondent. He would further contend that the remaining amount would be recovered from the fourth respondent under the Revenue Recovery Act as expeditiously as possible.

5. There is no representation for the fourth respondent.

6. Though the orders were passed by the first respondent on 05.11.2013 directing the fourth respondent to pay a compensation of



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Rs.2,34,821/- to the writ petitioner, till date the fourth respondent had not made good the payment. In the circumstances, the second respondent is directed to recover the compensation amount from the fourth respondent together with interest @ 12% per annum (as per the Award) within a period of four weeks from the date of receipt of a copy of this order.

With the above observation, this Writ Petition is disposed of. No costs.

01.12.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl

To

1.The Deputy Commissioner of Labour -1,
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R. HEMALATHA, J.
mtl

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