



W.P.No.29182 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2023

CORAM

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

W.P.No.29182 of 2023 and
W.M.P.No.28787 of 2023

N.Santhosh Kumar

... Petitioner

Vs.

- 1 The District Collector,
Rajaji Salai, Fourth Floor, 62,
Beach Road, George Town,
Chennai - 600001.
- 2 The Deputy Commissioner-I,
Labour Department, Labour Commissionerate
DMS Complex, Teynampet, Chennai - 600 006.
- 3 The Tahsildar,
Egmore-Nungambakkam Circle,
No.88, Mayor Ramanathan Salai,
Chetpet (near Palimer Hotel,
Chennai - 600 031.
- 4 Anjalai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records of the Impugned order, dated 28.06.2023 and the Reminder Notice, dated 19.09.2023 passed by the 2nd respondent in Na.Ka.No.A4/2718/2021,



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quash the same and consequently restrain the respondents 1 to 3 from initiating any action against the petitioner with regard to the Exparte Award, dated 10.03.2008 in W.C.No. 94/05 passed by the 2nd respondent.

For Petitioner : Ms.K.Subhashini for
M/s.Chennai Law Associates

For Respondents
For R1 to R3 : Ms.C.Meera Arumugam,
Additional Government Pleader

ORDER

The present Writ Petition is filed to call for the records of the orders passed by the 2nd respondent/Deputy Commissioner of Labour -I, Labour Department, Chennai dated 28.06.2023 and the reminder notice dated 19.09.2023 in Na.Ka.No.A4/2718/2021 and to quash the same and also to restrain the respondents 1 to 3 from initiating action against the petitioner with respect to the Exparte Award passed by the 2nd respondent vide his orders dated 10.03.2008 in W.C.No.94/05.

2. The 2nd respondent vide orders dated 10.03.2008 in W.C.No.94/05, directed the petitioner to make the following payments in favour of the Joint Commissioner of Labour I, Chennai:



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(a) Rs.3,88,437/- towards the Principal Award amount

(b) Rs.9,80,148/- towards interest at 12% on the Principal amount
from 12.07.2002.

3. Ms.K.Subhashini, learned counsel for the petitioner contended that from out of the total Award of Rs.13,71,086/-, so far the petitioner has paid a sum of Rs.5,29,378/- and the balance amount of Rs.8,41,708/- would be paid in seven equal monthly installments on or before 15th day of every English Calender month commencing from November 2023 till 15th May 2024 at Rs.1,20,244/- per month. The learned counsel for the petitioner also filed an undertaking in this regard. Today, the petitioner also paid a sum of Rs.1,20,244/- through Demand Draft.

4. The learned counsel for the respondents 1 to 3 has no serious objection in paying the balance amount as per the undertaking given by the petitioner.



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5. In the circumstances, the Writ Petitioner is directed to pay the balance amount in six monthly installments commencing from November 2023 as per the undertaking given by him.

6. It is made clear that if there is any default in payment of installments, the respondents 1 to 3 are at liberty to take coercive steps against the petitioner.

7. With the above observation, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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R. HEMALATHA, J.



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