



W.P.No.28250 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.03.2023

C O R A M

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

W.P.No.28250 of 2018

S.Narayanan

... Petitioner

Vs

The District Collector,  
Collectorate of Tiruppur,  
Tiruppur, Tiruppur District.

... Respondent

**PRAAYER**: Petition filed under Article 226 of the Constitution of India praying to issue Appropriate Writs, Orders, or Directions and in particular issue a Writ in the nature of Mandamus direct the respondent to act upon/ to take action in accordance with the letter dated 11.09.2017 written by the Employees Compensation, Commissioner, Palakkad, vide proceedings No.WCC 169/2007.

For Petitioner ... M/s.S.Makesh

For Respondents ... Mr.Alagu Goutham,  
Government Advocate



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## **ORDER**

This Writ Petition has been filed for a direction to the respondent to take appropriate action in accordance with the letter dated 11.09.2017 issued by the Employee Compensation Commissioner, Palakkad.

2. The case of the petitioner is that his son was employed as Hatchery Supervisor at Dhayashanker Chicken firm, S.Bengipura, Anekal Taluk of Bangalore district. The petitioner's son met with an accident on 22.12.2006 succumbed to the injuries while he was under the course of employment. Since the employer has not come forward to pay the compensation, the petitioner has filed a petition in WCC.No.169/2007 under the Workmen's Compensation Act. After hearing both sides, the Commissioner for Workmen's Compensation has passed award directing the employer to pay a sum of Rs. 3,12,014/- with interest @ 12% per annum from 22.12.2006 to the date of deposit. Since the award has not been complied with, the petitioner has approached the Commissioner for recovery of money through revenue recovery proceedings. The Commissioner issued a direction to the District Collector for revenue recovery proceedings. As per the order, the District Collector, Pallakad has sent



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a requisition for recovery to the District Collector Coimbatore, in turn the papers were forwarded to the District Collector, Tiruppur for necessary action.

Since, the District Collector, Tiruppur has not taken any steps for recovery proceedings, the petitioner has come up with the present petition.

3. Learned counsel for the petitioner submits that during the pendency of this Writ Petition the entire award amount was paid to the petitioner. However, certain other claims made by the petitioner have not been considered in the award and hence, the petitioner may be permitted to work out his remedy under the Workmen's Compensation Act.

4. The learned Government Advocate appearing for the respondent submitted a report as to the compliance of the Award passed by the the Commissioner for Workmen's Compensation

5. In view of the limited relief sought for by the petitioner, the petitioner is permitted to file appropriate application before the Commissioner for Workmen's Compensation if any compensation amount is due to the petitioner. If any such application is filed, the Commissioner for Workmen's



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Compensation is directed to consider the said application and pass appropriate orders.

6. This Writ Petition stands disposed of with the aforesaid direction.

There shall be no order as to costs.

**09.03.2023**

Index: Yes/No

Internet: Yes

NHS

To

The District Collector,  
Collectorate of Tiruppur,  
Tiruppur, Tiruppur District.



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M.DHANDAPANI, J.

NHS

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