



W.P(MD)No.28104 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28104 of 2023

and

W.M.P(MD)Nos.24191,24193 & 24196 of 2023

Ashokkumar

... Petitioner

Vs.

1.The Assistant Commissioner of Labour,
Labour Department,
(Enforcement), Sivagangai.

2.The Branch Manager,
Karur Vysya Bank,
Panankuppam,
Viluppuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the 1st respondent in Na.Ka.No.A/766/2023, dated 14.06.2023 and quash the same and consequently direct the 2nd respondent to de-freeze the petitioner's bank account bearing No.1765155000023360.

For Petitioner : Mr.N.Vignesh



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For R1

: Mr.S.Shaji Bino
Special Government Pleader

ORDER

The present writ petition has been filed challenging an order passed by the 1st respondent, dated 14.06.2023, wherein the bank account of the writ petitioner has been frozen.

2. The petitioner's father was implicated in a criminal case arising out of Bonded Labour System (Abolition) Act, 1976 in Crime No.139/2023. It was alleged in the said FIR that the petitioner's father had engaged certain bonded labourers without payment of wages for harvesting sugarcane and supplied the same to Shakthi sugars. While the petitioner's father had approached this Court by way of Anticipatory Bail application, this Court had directed them to deposit a sum of Rs.90,000/- before Judicial Magistrate Court-II, Sivagangai. This Court by its order, dated 28.11.2023 in W.P(MD)No.28098 of 2023 had directed the petitioner's father to deposit the balance amount before Judicial Magistrate Court-II, Sivagangai. Therefore, the entire amount which is due to the said workmen has already been deposited before Judicial Magistrate Court-II, Sivagangai. This Court has passed an order setting



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aside the bank account freezing order of Assistant Commissioner of Labour. In view of the said order, the order impugned in the present writ petition is also set aside.

3. The Assistant Commissioner of Labour, Sivagangai is directed to recall the order of freezing of the account as and when the petitioner's father produces evidence with regard to the deposit of the balance amount before Judicial Magistrate Court-II, Sivagangai as per the order of this Court in W.P(MD)No.28098 of 2023, dated 28.11.2023.

4. With the above said observations, this Writ Petition stands allowed. No costs. Consequently, connected Miscellaneous Petitions are closed.

29.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

The Assistant Commissioner of Labour,
Labour Department,
(Enforcement), Sivagangai.

R.VIJAYAKUMAR,J.



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Order made in
W.P(MD)No.28104 of 2023

Dated:
29.11.2023