



WEB COPY



W.P.No.1142 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.06.2024

CORAM:

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

Writ Petition.No.1142 of 2024
and W.M.P.No.1193 of 2024

Boopalan

... Petitioner

Vs.

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

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

3. Alamelu

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking to issue a Writ of Certiorari to call for the records and quash the impugned demand notice dated 11.12.2023 issued by the 1st respondent in his proceedings Na.Ka.No/E1/02973/2017 and is unsustainable in law.

For Petitioner : M/s.Pooja. J

For Respondents : Mr.K.Tamilvendhan

Government Advocate for R1 and R2



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ORDER

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2. The brief facts as per the affidavit enclosed to this Writ Petition are that, the petitioner has engaged the husband of third respondent by name Mr.Mohan for plumbing work. On 27.06.2006, he sustained grievous injuries and subsequently died. Thereby, the third respondent has preferred W.P.No.23566 of 2022 and the same was disposed of by way of an award, directing the second respondent to recover the compensation amount from the fourth respondent therein together with interest at 12% per annum within a period of four weeks from the date of receipt of copy of the said award. Thereafter, the first respondent has issued the impugned notice calling upon the petitioner to pay a sum of Rs.4,86,276/- on or before 20.12.2023.

3. Learned counsel for the petitioner has submitted that the entire amount to be paid to the Joint Commissioner of Labour has already been paid and he has also filed a compliance memo to that effect.



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4. On a perusal of the compliance memo, it is clear that the petitioner has paid a sum of Rs.4,86,276/- in five installments in various dates as listed below:

DATE	DEMAND DRAFT NO.	AMOUNT
05.01.2024	DD No.668208	Rs.1,00,000/-
28.01.2024	DD No.668233	Rs.1,00,000/-
19.02.2024	DD No.668259	Rs.50,000/-
18.03.2024	DD No.668298	Rs.50,000/-
07.06.2024	DD No.668381	Rs.1,86,276/-
TOTAL		Rs.4,86,276/-

Thereby, the petitioner has paid the entire Rs.4,86,276/- as per the impugned demand notice dated 11.12.2023, issued by the 1st respondent vide proceedings Na.Ka.No./E1/02973/2017. The compliance memo filed by the learned counsel for the petitioner is recorded. Since the entire amount has already been paid, the prayer sought for in this Writ Petition has become infructuous.

5. In view of the above, this Writ Petition is dismissed as infructuous.
No costs. Consequently, connected miscellaneous petition is closed.

12.06.2024

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Index: Yes/No
Speaking Order: Yes/No



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Dr.D. NAGARJUN, J.

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To

1. The Tahsildar,
Perambur Taluk,
Chennai-11.
2. The Deputy Commissioner of Labour-1,
Office of the Deputy Commissioner of Labour,
Chennai-06.

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