



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

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CORAM:
THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.11277 of 2023

M.Venugopal

...

Petitioner

Vs.

1.The Principal Secretary

Labour and Employment Department,
St.George Fort,
Secretariat,
Chennai 600 009.

2.The District Collector,

Collectorate,
Ranipet District.

3.The Tahsildhar,

Walaja Taluk,
Ranipet District.

4.M/s.Malak Leathers

Sole Proprietor
Mr.Salim

5.A.K.Z.Leathers Impex,

C/o Malak Leathers

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 3rd respondent herein to execute the direction given by the 2nd respondent based on the



WP.No.11277 of 2023

G.O.D.No.400/2009 dated 06.07.2009 passed by the 1st respondent, within a stipulated period of time.

For Petitioner : Mr.R.Sunilkumar
For Respondents : M/s.M.Jayanthi, AGP for RR1 to 3
: No appearance for RR4 to 5

ORDER

This Writ Petition has been filed seeking direction against the 3rd respondent to execute the direction given by the 2nd respondent based on G.O.D.No.400/2009 dated 06.07.2009 issued by the 1st respondent.

2. Heard Mr.R.Sunilkumar, learned Counsel for the petitioner and Mrs.M.Jayanthi, learned Additinal Government Pleader for the respondents 1 to 3 and perused the materials available on record. There is no appearance on behalf of respondents 4 and 5.

3. In pursuant to the computation petition filed by the petitioner in C.P.No.68 of 2007 an award has been passed on 31.8.2008 by determining the dues payable to the petitioner at Rs.6,65,560/- and in this regard a notification has also been issued in G.O.(D) 400 labour and Employment [p2] department dated 6.7.2009. Consequent to the above government order certifying that the



WP.No.11277 of 2023

award amount has to be recovered by following the revenue recovery procedure, no fruitful action has been taken so far.

4. It is learnt that the 2nd respondent has directed the 3rd respondent to initiate recovery proceedings as per the government order as above stated. The grievance of the petitioner is that the 3rd respondent did not take any action and hence, it is not possible for the petitioner to enjoy the fruits of the award passed in his favour.

5. It appears that the award is of the year 2007 and the government order has also been issued in the year 2009. The 2nd respondent District Collector has instructed the 3rd respondent to initiate appropriate action for recovery in his letter dated 6.10.2009. In fact, the 3rd respondent has also issued notice to the 4th and 5th respondents to appear before him for enquiry in this regard on 24.05.2010, no further action has been taken for more than 13 years. Even though the petitioner has got an award in his favour due to the inaction on the part of the 3rd respondent the petitioner is not able to enjoy the fruits of this labour. In view of the same, I feel the prayer of the petitioner should be



WP.No.11277 of 2023

allowed.

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6. In the result, this Writ petition stands **allowed**. The 3rd respondent is directed to execute the instructions passed by the 2nd respondent based on the 1st respondent's in G.O.(D) 400 labour and Employment [P2] department dated 06.07.2009 as expeditiously as possible. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed if any.

05.09.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation: Yes / No

jrs



WP.No.11277 of 2023

To

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WP.No.11277 of 2023

R.N.MANJULA, J.

jrs

W.P.No.11277 of 2023

05.09.2024