



WEB COPY



W.P.No.17838 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.17838 of 2023

Murugan

... Petitioner

Vs.

1.The Deputy Commissioner of Labour – II,
D.M.S.Campus, Chennai – 600 006.

2.The District Collector,
Chennai District, Chennai.

3.The Tahsildhar,
Anna Nagar, Chennai.

4.Amutha Matriculation Higher Secondary School,
Rep. By its Proprietor,
Mrs.Amudha Balakrishnan,
No.884A, Vaigai Colony, 13th Main Road,
Anna Nagar, Chennai – 600 040.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to recover the compensation amount of Rs.4,75,838/- with interest at 12% p.a. from the date of accident along with cost from the fourth respondent.

For Petitioner : Mr.P.Nagaraj

For RR1 to 3 : Ms.P.Rajarajeswari, GA

For R4 : Ms.Vijayakumari Natarajan



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ORDER

The writ petition is filed for a Writ of Mandamus directing the second respondent to recover the compensation amount of Rs.4,75,838/- with interest at the rate of 12% per annum from the date of accident along with cost from the fourth respondent.

2.The writ petitioner filed a petition under Section 22(1) of the Workmen's Compensation Act, 1923 claiming compensation for the injuries sustained by him during the course of his employment in the fourth respondent school. The petition was registered by the first respondent in Employees' Compensation Case No.78/2014 and an order dated 06.10.2021 was passed in favour of the petitioner as prayed for. As the fourth respondent did not comply with the order passed by the first respondent, the petitioner filed petition before the first respondent for recovering the compensation amount with interest. The petitioner also sent representation to the first respondent on 09.09.2022 requesting him to give necessary instruction to the concerned revenue authority to initiate revenue recovery proceedings against the fourth respondent. As the first respondent did not act on the representation of the petitioner, the petitioner filed the present writ petition.



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3.The learned Government Advocate submits that action has already been initiated and he has produced a letter of the Tahsildar, Aminjikarai Taluk, Chennai dated 19.01.2024 wherein it is stated that the District Collector, Chennai has authorized him to recover the said amount from the fourth respondent by invoking the provisions of Revenue Recovery Act, 1864.

4.Recording the submission made by the learned Government Advocate that proceedings have already been initiated against the fourth respondent, this writ petition is disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

02.02.2024

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl

To



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D.M.S.Campus, Chennai – 600 006.

2.The District Collector,
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3.The Tahsildhar,
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N.MALA, J.



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