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W.P.No.18462 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2024

CORAM:

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

Writ Petition.No.18462 of 2024

M.Mallika

... Petitioner

Vs.

1. The District Collector,
Chennai District,
Singaravelan Maligai,
Chennai – 600 001

2. The Tahsildar,
Guindy Taluk,
Chennai – 600 032.

3. The Joint Commissioner of Labour -II,
Workmen Compensation,
DMS Complex, Teynampet,
Chennai – 600 006.

4. S.Rangarajan

... Respondents

1. **Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, seeking to issue a Writ of Mandamus directing the 2nd Respondent herein to implement the order passed by the 1st



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Respondent in Rc.No.G2/20540/2020 dated 21.05.2024 for recovering the sum of Rs.4,60,080/- (Rupees Four Lakhs Sixty Thousand and Eighty Only) from the 4th Respondent herein along with 12% interest from the date of 15.03.2019 under the Revenue Recovery Act, as awarded by the 3rd respondent herein in A/12/2019 dated 26.06.2019.e

For Petitioner : Mr.S.Sarath Kumar

For R1 to R3 : Mr.R.U.Dinesh Raj Kumar
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue Writ of Mandamus directing the 2nd Respondent herein to implement the order passed by the 1st Respondent in Rc.No.G2/20540/2020 dated 21.05.2024 for recovering the sum of Rs.4,60,080/- (Rupees Four Lakhs Sixty Thousand and Eighty Only) from the 4th Respondent herein along with 12% interest from the date of 15.03.2019 under the Revenue Recovery Act, as awarded by the 3rd Respondent herein in A/12/2019 dated 26.06.2019.

2. It is the submission of the learned counsel for the petitioner that,



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petitioner's husband by name Late C.Marimuthu, who was working as labourer under the 4th respondent Construction Company died on 15.03.2019 by accidentally falling from the fourth floor of the construction site. The accident has taken place on account of the negligence and on failure of the 4th respondent to provide necessary safety equipments and for not taking safety measures to the workers including the husband of the petitioner. Petitioner has filed an application before the 3rd respondent Joint Commissioner Of Labour, Workmen Compensation for awarding compensation. After conducting enquiry, award was passed on 26.06.2019 by the 3rd respondent directing the 4th respondent to pay an amount of Rs.4,60,080/- (Rupees Four Lakhs Sixty Thousand and Eighty Only) with interest @ 12% from 15.03.2019 till the date of depositing the amount..

3. It is further submitted that, inspite of passing of the orders on 26.06.2019, the 4th respondent has not taken any steps for depositing the amount. Subsequently, on the request made by the petitioner, 3rd respondent issued communication to the 1st respondent District Collector on 25.05.2022 in Na,Ka.No.A3/0153/2021 requesting him to take appropriate action against the 4th respondent for recovering a sum of Rs.4,060,080/- along with



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interest. In pursuant to the said communication, 1st respondent District Collector has addressed a letter dated 21.05.2024 to the 2nd respondent Tahsildar to authorize him to recover the said compensation amount from the 4th respondent. It is submitted that, even after passing of such orders, no action has been taken by the Tahsildar inspite of many request made by the petitioner, thereby he sought for suitable direction.

4. Mr.R.U.Dinesh Raj Kumar, learned Additional Government Pleader, who has taken notice for respondents (1 to 3) submitted that, 2nd respondent is contemplating to initiate the action and if sufficient time is granted, proceedings will be initiated for recovering the money from the 4th respondent.

5. Considering the nature of the Writ Petition that, petitioner is seeking for mandamus as against th 1st & 2nd respondent only, notice to the 4th respondent is dispensed with and this Writ Petition is disposed of the admission stage itself.

6. Accordingly, this Writ Petition is disposed of directing the 1st & 2nd



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respondent to initiate the proceedings for recovery of sum of sum of Rs.4,60,080/- (Rupees Four Lakhs Sixty Thousand and Eighty Only) as per the award dated 26.06.2019 passed by the 3rd respondent in favour of the petitioner and recover the same from the 4th respondent as quickly as possible not later than 12 weeks from the date of receipt of copy of this order. No costs.

05.07.2024

Sma

Index:Yes/No

Speaking Order: Yes/No

To

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Dr.D. NAGARJUN, J.

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