



WEB COPY



W.P.No.33168 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.33168 of 2024

Maasanam @ Mani

... Petitioner

Vs.

- 1.The District Collector
Coimbatore District-641 018
- 2.The Tahsildar
Sulur Taluk, Coimbatore District.
- 3.The Deputy Commissioner Of Labour-Cum-
Commissioner of Workmens Compensation,
Dr.Balasundaram Road, Coimbatore District-641 018.
- 4.Gurunathan
Proprietor, M/S.R.S.Industries,
Aasari Thottam,
Karupparayanpalaya, Mylampatti Post,
Sulur Taluk, Coimbatore District-641 062.
- 5.Asokh
Proprietor, M/S.R.S.Industries,
Aasari Thottam,
Karupparayanpalayam, Mylampatti Post,
Sulur Taluk, Coimbatore District-641 062.

...Respondents



W.P.No.33168 of 2024

WEB COPY

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents 1 to 3 to recover the award amount of Rs.4,84,852/- (Rupees four Lakhs Eighty Four Thousand Eight Hundred and Fifty Two) with interest of 12 percent from the date of accident i.e. 18.06.2013 to till the date of recovering the award amount from the 4th and 5th respondents under the Revenue Recovery Act, based on the award dated 29.10.2015 passed in W.C. No.48 of 2014 by the 3rd respondent and which was confirmed by him vide order dated 20.09.2018 within time to be stipulated by this Honourable Court.

For Petitioner : M/s.M.Vijaya Ragavan

For Respondents : M/s.R.P.Murugan Raja, Govt. Advocate
for R1 to R3.

ORDER

The Writ Petition is filed for the following reliefs:-

*" directing the respondents 1 to 3 to recover the
award amount of Rs.4,84,852/- (Rupees four Lakhs Eighty
Four Thousand Eight Hundred and Fifty Two) with*



W.P.No.33168 of 2024

interest of 12 percent from the date of accident i.e.

18.06.2013 to till the date of recovering the award amount from the 4th and 5th respondents under the Revenue Recovery Act, based on the award dated 29.10.2015 passed in W.C.No.48 of 2014 by the 3rd respondent and which was confirmed by him vide order dated 20.09.2018 within time to be stipulated by this Honourable Court"

2. The petitioner workman who has obtained an award in W.C.No.48 of 2014 as early as on 20.09.2018, has not been able to enjoy the fruits of the award to date. Therefore, as per the scheme of the Act, the petitioner had applied to the 3rd respondent to recover the compensation under the Revenue Recovery Act and the same was numbered as R.R.No.8 of 2019. The 3rd respondent had forwarded the same to the 1st respondent's office for initiating revenue recovery proceedings. Since, no further action was taken, the petitioner had sent a representation dated 27.04.2023 to respondents 1 and 3. However, to date the respondents have not initiated any action. Therefore, the petitioner is before this Court.



W.P.No.33168 of 2024

WEB COPY

3. Heard the counsels on either side.

4. The petitioner workman who had suffered grievous injuries and has lost his eyesight is still waiting to get the benefit of the award. The revenue recovery proceedings which had been initiated in the year 2019 is yet to reach finality as the 1st respondent has not taken steps despite the order of the 3rd respondent and the representation sent by the petitioner on 27.04.2013.

5. Considering the above, the Writ Petition is allowed. A mandamus is issued to the respondents 1 to 3 to ensure that the proceedings in R.R.No.8 of 2019 is disposed of within a period of 6 weeks from the date of receipt of a copy of this order. No costs.

13.11.2024

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The District Collector
Coimbatore District-641 018

2.The Tahsildar
Sulur Taluk, Coimbatore District.

3.The Deputy Commissioner Of Labour-Cum-
Commissioner of Workmens Compensation,



W.P.No.33168 of 2024

Dr.Balasundaram Road, Coimbatore District-641 018.

WEB COPY

P.T. ASHA. J.,

(shr)

W.P.No.33168 of 2024

13.11.2024