



W.P.No. 34954 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No. 34954 of 2024

J. Kala

... Petitioner

Vs

1. The District Collector,
Kallakurichi District,
Kallakurichi 606 202.
2. The Deputy Commissioner of Labour -II,
(Authority under the Workmen Compensation Act),
Teynampet, Chennai - 600 018.
3. The Management,
Meera Textiles & Industries Limited,
North Nemili, Tirukoilur Taluk,
Kallakurichi District.
4. The Zonal Manager,
New India Assurances Company Limited,
No. 1, Bharathi Raod,
Arcot Woodlands Complex 1st Floor,
Cuddalore - 607 001.

... Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, to direct the first respondent to pass orders on petitioner's representation dated 02.11.2023 to initiate revenue recovery



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proceedings against the respondents 3 and 4 to recover the Award amount passed in W.C.No.419/2007 on the file of the second respondent dated 21.04.2015 payable to the petitioner within a stipulated time.

For Petitioner : Mrs.K.Vaishnavi
for Mr.S.Parthasarathi

For R1 & R2 : Mr.K.Surendran
Additional Government Pleader

ORDER

This writ petition is filed with a prayer to direct the first respondent to pass orders on the petitioner's representation dated 02.11.2023 to initiate revenue recovery proceedings against the third and fourth respondents to recover the award amount passed in W.C.No. 419 of 2007 on the file of the second respondent dated 21.04.2015 payable to the petitioner within a stipulated time.

2. Considering the limited nature of the prayer, this Court only directed the learned Government Advocate to get instructions from the first and second respondents and the writ petition is disposed of at the admission stage without notice to the third and fourth respondents. Upon receiving



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instructions, the learned Government Advocate appearing for the first and second respondents submitted that by a communication dated 28.02.2020, the District Collector directed the Tahsildar of Tirukoilur Taluk to take action to recover the amount along with 12% interest and to send him a report. Thereafter, by a communication dated 20.07.2024, it was directed to attach the movable/immovable properties belonging to the defaulter and to inform the appropriate Sub Registrar to prevent any further alienations by the defaulter.

3. Upon further enquiry, by a communication dated 22.08.2024, the Tahsildar of Tirukoilur informed that the defaulting concern owns the properties in Nemili Village, Patta Nos. 219 and 421. Thereafter, by an order of the first respondent dated 30.08.2024, the said properties were attached and the attachment was forwarded to the concerned Sub Registrar. By its communication dated 08.10.2024, the Tahsildar also informed that the attachment had already been entered in the appropriate register by the Sub Registrar and the defaulting concern could no longer deal with the properties. Further, by a communication dated 03.12.2024, the defaulting management



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was also informed that unless the dues of the workman were paid, the properties would not be released from attachment. Additionally, by a communication dated 29.11.2024, the Tahsildar was directed to bring the said properties for auction, so that the dues may be recovered. It can be seen that although the respondents are proceeding, the matter is pending from the year 2020. Now that the immovable properties of the management have been attached, emergent steps can be taken to bring the same for sale and the properties can be duly sold and the workmen's due including the principal amount along with interest can be realised at the earliest.

4. In view thereof, this writ petition is allowed on the following terms:-

(i) The first respondent is directed to continue the proceedings, bring the attached property for sale and realise the dues and pay it out to the workman. The said exercise shall be complete within a period of two months from the date of receipt of the website- uploaded copy of this order, without waiting for a certified copy of the order.

(ii) No costs.

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Neutral Citation: Yes/No

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D.BHARATHA CHAKRAVARTHY, J.

nsi

To

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Kallakurichi 606 202.
2. The Deputy Commissioner of Labour -II,
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