



W.P.(MD).No.3911 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.3911 of 2024

S.Astalakshmi

... Petitioner

Vs

The District Collector,
Office of the District Collector,
Viudhunagar.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to recover the compensation amount awarded in W.C.No. 32 of 2018, on the file of the District Commissioner of Labour, Madurai of Rs. 7,41,680/- with 12 percent interest under the Revenue Recovery Act by considering the representation of the petitioner, dated 06.02.2024 and to pass order within a time frame as fixed by this Court.

For Petitioner : Ms. P.Jessi Jeeva Priya

For Respondent : Mr.S.Shaji Bino
Special Government Pleader



WEB COPY



W.P.(MD).No.3911 of 2024

ORDER

The present writ petition has been filed seeking a direction to the respondent to recover the compensation amount awarded in W.C.No. 32 of 2018, on the file of the District Commissioner of Labour, Madurai of Rs. 7,41,680/- with 12 percent interest under the Revenue Recovery Act by considering the representation of the petitioner, dated 06.02.2024 and to pass order within a time frame as fixed by this Court.

2.By consent of both parties, considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent. Perused the materials on record.

4.The petitioner's husband died in an accident, while he was in service on 06.11.2017. Hence, the petitioner filed a petition in W.C.No.32 of



W.P.(MD).No.3911 of 2024

WEB COPY

2018 on the file of District Commissioner of Labour, Madurai, along with her children and in-laws. The same was allowed on 12.05.2022 with a direction to pay Rs.7,41,680/- as compensation. However, the said payment was not made so far. Hence, the petitioner made an application, dated 30.09.2022 to the District Commissioner of Labour, Madurai. The petitioner received a copy of notice sent by the Joint Commissioner of Labour, dated 14.02.2023 and also received a copy of letter sent by the Joint Commissioner of Labour, Madurai, dated 27.06.2023 directing the respondent to take necessary action to realise the award amount. In this regard, she made several representations to the respondent, last of which was made on 06.02.2024. However, the same were not considered. Hence, this writ petition came to be filed.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its



W.P.(MD).No.3911 of 2024

extraordinary powers under Article 226 of Constitution of India and direct the respondent to consider the same within a stipulated time.

6.Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the case, this Court hereby direct the respondent to consider the representation of the petitioner, dated 06.02.2024 and pass appropriate orders in accordance with law, within a period of eight (8) weeks, from the date of receipt of a copy of this order.

7.With the above direction, this writ petition stands disposed of.

There shall be no order as to costs.

21.02.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To
The District Collector,
Office of the District Collector,
Viudhunagar.



WEB COPY



W.P.(MD).No.3911 of 2024

L.VICTORIA GOWRI, J.

PNM

ORDER IN
W.P.(MD).No.3911 of 2024

21.02.2024