



W.P(MD)No.3859 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3859 of 2024

and

W.M.P.(MD)Nos.3743 and 3744 of 2024

M.Mathankumar

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Tahsildar,
Karur Taluk,
Karur.

3.The Commissioner of Employee's Compensation/
Joint Commissioner of Labour (Workmen Compensation),
Dindigul.

4.K.Sathivel

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order passed by the 1st Respondent vide his proceeding in Na.Ka.H1/14313/2020 dated 01.03.2021 and the consequential impugned proceedings by the 2nd Respondent vide in Na.Ka.No.A2/924/2021 dated



W.P(MD)No.3859 of 2024

08.02.2024 issued by the 2nd Respondent and quash the same as illegal and ultra vires.

For Petitioner : Mr.B.Prasanna Vinoth

For Respondents : Mr.T.Villavankotahi,
Addl. Government Pleader for R1 to R3.

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 to 3.

2.The petitioner challenges the impugned proceedings dated 01.03.2021 issued by the District Collector, Karur for initiating action under Tamil Nadu Revenue Recovery Act. The petitioner had suffered an award under the Employee's Compensation Act. The petitioner failed to challenge the award till date. Only by filing Civil Miscellaneous Appeal before this Court, such a challenge is maintainable. Without doing so, the petitioner has come before this Court questioning the recovery action taken by the District Collector. Technically, this writ petition is not maintainable. However, taking into account the special facts and circumstances of the case, the petitioner is permitted to deposit the entire award amount within a period of eight weeks from the date of



W.P(MD)No.3859 of 2024

receipt of a copy of this order. The deposit will be made to the credit of E.C.No.96 of 2012 on the file of the third respondent herein. However, it shall not be withdrawn immediately. The petitioner through his counsel gives an undertaking that he will file Civil Miscellaneous Appeal within a period of one week after such deposit. The petitioner is given the breathing time of eight weeks thereafter. If the petitioner fails to obtain interim order from this Court, the said amount can be withdrawn by the Workmen concerned. The impugned order will abide by the outcome of the order to be passed by this Court in the Civil Miscellaneous Appeal to be filed by the petitioner herein. If the petitioner fails to file such Civil Miscellaneous Appeal within the time limit stipulated above or fails to obtain interim order, the impugned order will be given effect to.

3.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

01.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias



WEB COPY



W.P(MD)No.3859 of 2024

G.R.SWAMINATHAN, J.

ias

To:

- 1.The District Collector,
Karur District,
Karur.
- 2.The Tahsildar,
Karur Taluk,
Karur.
- 3.The Commissioner of Employee's Compensation/
Joint Commissioner of Labour (Workmen Compensation),
Dindigul.

W.P(MD)No.3859 of 2024

01.03.2024