



W.P.(MD)No.9214 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.9214 of 2024

and

W.M.P.(MD).No.8388 of 2024

Arangaraj

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Karur.

2.The Deputy Commissioner of Labour,
Office of the Joint Commissioner of Labour,
Dindigul.

3.The Tahsildar,
Office of the Tahsildar Office,
Karur District.

4.Ponambalam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records relating to the notice issued by the third respondent in Na.Ka.No.A2/762/2023 dated 13.03.2024 and quash the same.

For Petitioner : Mr.V.Vishnu

For R-1 to R-3 : Mr.S.Shanmugavel
Additional Government Pleader



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ORDER

Heard Mr.V.Vishnu, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader for the respondents.

2. This Writ Petition has been filed seeking to quash the order dated 13.03.2024 passed by the third respondent.

3. The petitioner has challenged the impugned recovery notice dated 13.03.2024 in pursuant to the proceedings dated 10.02.2023 issued by the District Collector. However, before initiation of the proceedings under Revenue Recovery Act, the second respondent has passed an order on 14.03.2022 by holding that the petitioner has got the bonus commitment for the period from 01.04.2013 to 31.01.2018 during which the fourth respondent was in service. But however, the learned counsel for the petitioner submitted that the above order dated 14.03.2022 has also been challenged by way of filing Writ Petition in W.P.(MD).No.8685 of 2024 and the same is pending. Now, the petitioner has filed this writ petition challenging the impugned recovery notice passed by the third respondent, despite the proceedings of the second respondent dated 14.03.2022 which is still pending in the earlier writ petition filed by the petitioner.



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4. It is not the submission of the learned counsel for the petitioner that in the earlier writ petition the enforceability of the proceedings dated 14.03.2022 is stayed. As the order dated 14.03.2022 has not been stayed, it is learnt that the revenue recovery proceedings has been initiated and consequently, the present impugned recovery notice has been issued on 13.03.2024. The rightful remedy open to the petitioner is to get the Writ Petition in W.P.(MD).No.8685 of 2024 disposed.

5. Hence, the writ petition is **disposed of** in view of the pending writ petition in W.P.(MD).No.8685 of 2024, through which alone the petitioner can workout his remedy. No costs. Consequently, connected miscellaneous petition is closed.

15.04.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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R.N.MANJULA, J.

Nsr

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