



WP(MD). No.13378 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 24/06/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.13378 of 2024

R.Ayyappan

... Petitioner

Vs

1. State of Tamil Nadu,
Rep. by District Collector,
Tirunelveli District..
2. State of Tamil Nadu,,
Rep. by District Collector,
Kanyakumari District at Nagercoil..
3. Deputy Commissioner of Labour,
(Enforcement),, Joint Commissioner Office,
Anayarkulam Extension,
Thirumal Nagar,
Perumalpuram,
Tirunelveli 627007..
4. Deputy Registrar of Co-Operative
Societies (Diary),, O/o. Collector
Office Building, Kokkirakulam,
Vannarapet, Tirunelveli District..



WP(MD). No.13378 of 2024

5. Special Officer/liquidator,,
Arumanai Milk Producers Co-Operative
Society Ltd., Vrd 147, O/o. Deputy
Registrar (Diary), 3rd Floor, Collector
Office New Building, Nagercoil 62900.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to recover award amount dated 29.11.2018 in P.G. No. 56 of 2018 on the file of Assistant Commissioner of Labour, Tirunelveli and in C.P. No.123 of 2012 on the file of Labour Judge at Tirunelveli and disburse the same to the petitioner with accumulated interest by making necessary mode of recovery under Revenue Recovery Act from the judgement debtor's property of 18.750 cents land in Resurvey No. 107/1A of Vellamcode Revenue Village in Vilavancode Taluk of Kanyakumari District within time frame fixed by this Court.

For Petitioner : Mr.V.H.S.Prathap
For Respondents : Mr.K.Selvaganesan
Additional Government Pleader

ORDER

The petitioner, who has got an award from the labour Court against the 5th respondent society in respect of his back wages has filed this writ petition seeking a direction to the respondents to recover the award amount dated 29.11.2018 in P.G. No. 56 of 2018 on the file of Assistant



WP(MD). No.13378 of 2024

Commissioner of Labour, Tirunelveli and in C.P. No.123 of 2012 on the file of Labour Judge at Tirunelveli and disburse the same to the petitioner with accumulated interest.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3. By consent of both sides, the writ petition is taken up for final disposal.

4. The grievance of the petitioner is that he retired from the 5th respondent society after rendering 32 years of service. However, since the gratuity amount has not been settled to him, he has filed a petition before the Assistant Commissioner of Labour and an award has been passed thereon thereby directing the 5th respondent to disburse a sum of Rs.67,938/-. Despite he has obtained an award, the 5th respondent society has not come forward to settle the award amount. Therefore, the petitioner has given representation to the third respondent. Since there was no action on the said representation for recovery of the award



WP(MD). No.13378 of 2024

amount, the petitioner has filed this writ petition.

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5. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the petitioner has filed an execution petition before the 2nd respondent and the same is pending. Since the execution petition is pending, I feel it is appropriate that a direction be given for early disposal of the said petition.

6. In view of the same, this writ petition is disposed of with a direction to the respondents 2 and 3 to dispose of the execution petition along with the representation made by the petitioner in this regard within a period of six weeks from the date of receipt of a copy of this order. No costs.

24.06.2024

RR



WP(MD). No.13378 of 2024

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TO

1. District Collector,
Tirunelveli District..
2. The District Collector,
Kanyakumari District at Nagercoil..
3. Deputy Commissioner of Labour,
(Enforcement),, Joint Commissioner Office,
Anayarkulam Extension,
Thirumal Nagar,
Perumalpuram,
Tirunelveli 627007..
4. Deputy Registrar of Co-Operative
Societies (Diary),, O/o. Collector
Office Building, Kokkirakulam,
Vannarapet, Tirunelveli District..



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WP(MD). No.13378 of 2024

R.N.MANJULA,J

RR

**ORDER
IN
WP(MD) No.13378 of 2024**

Date : 24/06/2024