



WP(MD) No.13504 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.13504 of 2024

Annadurai

... Petitioner

Vs.

The Secretary,
Aruppukottai Sarvodaya Sangam,
127, Sathyamoorthy Bazar,
Aruppukottai,
Virudhunagar District.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondent to disburse compensation amount of Rs.15,00,000/- to the



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petitioner for his suffering of paralytic attack illness, mental agony and dishonour of the award passed by the Madurai Labour Court in I.D. No. 194/2001 dated 16.09.2008 and order passed by this Honb'le High Court in W.P.(MD)No.3491/2010 dated 04.01.2021 and non-reinstate the petitioner as Night Watchman in his office as per aforesaid Court orders.

For Petitioner : Mr.R.Murugappan

For Respondent : ---

ORDER

Heard Mr.R.Murugappan, learned counsel for the petitioner and perused the materials available on record.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner has filed this writ petition directing the respondent to give compensation of Rs.15,00,000/- (Rupees Fifteen



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Lakhs only) for having suffered by paralytic attack and mental agony in view of not complying with the award passed by the Labour Court in his favour in I.D.No.194 of 2001, dated 16.09.2008. The above award passed in favour of the petitioner has been confirmed in the subsequent writ petition filed in W.P.No.3491 of 2010 by the management, order dated 04.01.2021.

4. For not reinstating the petitioner into service despite the award being passed by the Labour Court, the petitioner can only file an appropriate execution proceedings. In the instant case, the petitioner has pleaded that he developed paralytic attack, only because he has not been reinstated.

5. Such a statement of fact cannot be proved in a writ petition and it requires appreciation of evidence. If the petitioner believes that he had developed paralytic attack only because he was not reinstated and he had suffered agony and that he is entitled for compensation, he has to file a civil suit for claiming damages.



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6. Hence, this writ petition is **dismissed** as not maintainable. No costs.

25.06.2024

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

RM



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.13504 of 2024

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25.06.2024