



W.P(MD)No.18381 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18381 of 2024

Sunderraj

... Petitioner

Vs.

1.The District Collector,
Collector Office,
Tirupur District,
Tirupur.

2.The Tahsildar,
Uthukoli Taluk Office,
Uthukuli Post,
Tirupur District.

3.Udayakumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 2 to recover the awarded amount of Rs.1,62,672/- with interest at the rate of 12 percent and Rs.5000/- Medical expenses based on the proceedings of the Joint Commissioner of Labour, Tiruchirappalli, passed in Na.Ka.No. Aa4/2587/2024 dated 05.06.2024 under the Revenue Recovery Act in pursuance of the order passed in W.C.No.156 of 2019 on the file of the Joint Commissioner of Labour, Tiruchirapalli, within a time frame fixed by this Court.



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For Petitioner : Mr.M.Benazir Begum
for Mr.K.Srinivasaragavan
For Respondent : Mr.K.Balasubramani
Special Government Pleader for R1 & R2

ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for R1 & R2. Issuance of notice to R3 is dispensed with.

2. The petitioner filed W.C.No.156 of 2019 on the file of the Joint Commissioner of Labour, Tiruchirappalli against the third respondent herein and the award dated 28.04.2022 was passed. The petitioner was awarded a sum of Rs.1,62,672/- with interest and other reliefs. The grievance of the petitioner is that even though the award has become final, till date he could not enjoy the fruits of the award. Section 31 of the Employees' Compensation Act, 1923 is as follows:-

31.Recovery- *The Commissioner may recover as an arrear of land-revenue any amount payable by any person under this Act, whether under an agreement for the payment of compensation or otherwise, and the Commissioner shall be deemed to be a public officer within the meaning of Section 5 of the Revenue Recovery Act, 1890.*



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3. It is seen that the Joint Commissioner of Labour addressed the District Collector, Trichy. The petitioner's counsel states that the copy of the communication bearing Na.Ka.No.Aa4/2587/2024, dated 05.06.2024 has been enclosed in the typed set of papers. The petitioner's counsel states that now the petitioner is coming under the purview of the first respondent. It is the duty of the first respondent to enforce the award passed in favour of the petitioner. The first and second respondents shall take appropriate steps under the Tamil Nadu Revenue Recovery Act against the third respondent so that the award is enforced. The entire exercise shall be completed within a period of six months from the date of receipt of a copy of this order.

4. The Writ Petition is allowed accordingly. No costs.

02.08.2024

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

To
1.The District Collector,
Collector Office,
Tirupur District,
Tirupur.

2.The Tahsildar,
Uthukoli Taluk Office,
Uthukuli Post,
Tirupur District.



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G.R.SWAMINATHAN, J.

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