



W.A(MD)No.879 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2024

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
AND
THE HON'BLE MR JUSTICE C.KUMARAPPAN**

**W.A(MD)No.879 of 2016
and
C.M.P(MD)No.5294 of 2016**

The Special Officer,
now represented by the Managing Director,
Madurai District Pandian Consumer Cooperative
Society, No.162, East Veli Street,
Madurai.

... Appellant/Second Respondent

.Vs.

1.T.Paramasivam

....Respondent/Petitioner

2.The District Collector,
Collectorate,
Madurai.

... Respondent/Ist Respondent

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act praying this Court to set aside the order passed by this Court in W.P(MD)No.4001 of 2011, dated 24.03.2016.

For Appellant

: Mr.A.Saravanan
for Mr.G.Murugan



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For Respondent-1 :No appearance

For Respondent-2 :Mr.D.Sachikumar
Addl.Govt.Pleader

JUDGMENT

DR.G.JAYACHANDRAN,J.
AND
C.KUMARAPPAN,J.

This Writ Appeal is arising out of the order passed by the learned Single Judge in W.P(MD)No.4001 of 2011, dated 24.03.2016.

2.The Writ Petition is filed seeking mandamus directing the District Collector, Madurai to initiate Revenue Recovery Proceedings under Section 33 C(1) of the Industrial Disputes Act as against the second respondent/The Special Officer, Madurai District Pandian Consumer Cooperative Society, North Veli Street, Madurai, since the award of the Labour Court in I.D.No.427 of 2019 has not been implemented despite claim petition filed in C.P.No.32 of 2004 under Section 33-C(2) of the Industrial Disputes Act.

3.The learned Single Judge, after considering the submissions and record, particularly, the representation given by the Writ Petitioner on 17.12.2011, had



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directed the first respondent /The District Collector, Collectorate, Madurai to dispose of the representation and take action under the Revenue Recovery Act pursuant to the order passed in C.P.No.32 of 2004. The instant Writ Appeal is filed challenging the said order .

4.According to the appellant, pending the Writ Petition, the entire award amount been paid and the Writ Petitioner/Claimant/workman had issued receipts therefor and Full Satisfaction Memo, dated 6.2.2014 filed before the Presiding Officer, Labour Court, Madurai in E.P.No.18 of 2012 in C.P.No.32 of 2004.

5.In view of the full satisfaction and the closure of C.P.No.32 of 2004, it is contended that nothing survives in the Writ Appeal.

6.Recording the same, the Writ Appeal is disposed of. There is no order as to costs. Consequently, connected Miscellaneous Petition is closed.

[G.J.,J.] [C.K.,J.]
03.01.2024

NCS :Yes/No
Index : Yes / No

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Internet : Yes / No

vsn

To

The District Collector,
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and

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JUDGMENT MADE IN

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