



W.P(MD)No.19674 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2024

CORAM :

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No.19674 of 2018

Murugesan

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.

3.The Management,
The Janakiram Mills Ltd.,
Sakthi Nagar,
Srivilliputhur Road,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to comply the order of the first respondent vide his proceedings ൩.൧.൫2/14835/2017 dated 13.06.2017 within the time frame fixed by this Court.



For Petitioners : Mrs.K.Abiya
For R1 & R2 : Mr.P.Thambidurai
Government Advocate
For R3 : No Appearance

ORDER

This writ petition has been filed for a direction directing the second respondent to comply the order of the first respondent vide his proceedings in ந.க.இ2/14835/2017, dated 13.06.2017

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 & 2 and perused the materials available on record.

3. The learned counsel appearing for the petitioner would submit that the Assistant Commissioner of Labour, Madurai has passed an award to an extend of Rs.83,769/- along with statutory interest at the rate of 10% per annum from 01.07.2007 onwards. Based on the said order, recovery proceeding was initiated by the first respondent and they recovered only the principal amount of Rs.83,769/- and the same was deposited on 25.01.2018. Thereafter, the said amount was also paid to the petitioner. From 01.07.2007 till 25.01.2018 the petitioner is entitled for 10% interest as per the award of the Assistant



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Commissioner of Labour, but the second respondent has failed to collect the interest from the third respondent.

4. The learned counsel for the second respondent would submit that time limit may be fixed to recover the interest from the third respondent.

5. It is seen from the records that there is no dispute with regard to the recovery of the amount of Rs.83,769/-. The only question raised before this Court is that while recovering the principal amount the first respondent has failed to recover the interest of 10% as awarded by the Assistant Commissioner of Labour. From 01.07.2007 to 25.01.2018 the petitioner is entitled for the interest. The learned counsel for the respondents seek time to recover the interest.

6. Considering the submissions made by both sides, this Court is inclined to grant four months time to the first respondent to recover the interest.

7. Accordingly, the writ petition is disposed of. The first respondent is directed to recover the interest at the rate of 10% from the third respondent as awarded by the Assistant Commissioner of Labour from 01.07.2007 to



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25.01.2018. Subsequent to the recovery, the first respondent is directed to pay the said amount to the petitioner immediately. No costs.

12.11.2024

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

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To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Tahsildar,
Rajapalayam Taluk,
Rajapalayam,
Virudhunagar District.



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KRISHNAN RAMASAMY, J

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