



W.P(MD)No.19675 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2024

CORAM :

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No.19675 of 2018

Thiyagarajan

... 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, to direct the 2nd respondent to comply with the order of the 1st respondent vide his proceedings in Na.Ka.E2/14835/2017, dated 02.04.2018 within the time frame fixed by this Court.

For Petitioner : Mr.M.Suresh

For R1 & R2 : Mr.P.Thambidurai,
Government Advocate

For R3 : Mrs.A.Banumathi



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ORDER

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The petitioner seeks a direction to the 2nd respondent to comply with the order of the 1st respondent, vide his proceedings in Na.Ka.E2/14835/2017, dated 02.04.2018 within the time frame fixed by this Court.

2.The learned counsel appearing for the petitioner would submit that the petitioner has filed an application before the Assistant Commissioner of Labour Cum Officer of Gratuity Act for recovery of gratuity amount, which is payable by the 3rd respondent, where an order has been passed on 20.04.2017, directing the 3rd respondent to pay a sum of Rs.1,07,308/- along with 10% interest. However, the 3rd respondent failed to comply with the said order. Therefore, the Assistant Commissioner of Labour sent a letter dated 03.08.2017 to the 1st respondent, requesting to pass recovery order. The 1st respondent, vide proceedings dated 02.04.2018, directed the 2nd respondent to recover the award amount from the 3rd respondent under Revenue Recovery Act. However, till date, the said order has not been complied with by the 2nd respondent.

3.The learned counsel appearing for the 3rd respondent seeks three months time to pay the award amount.



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4.The learned Government Advocate appearing for the respondents 1 and 2 also seeks three months time to recover the award amount from the 3rd respondent and pay the same to the petitioner.

5.Considering the submissions made on either side, this Court directs the 2nd respondent to recover the award amount along with 10% interest from the 3rd respondent and pay the same to the petitioner within a period of two months from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.

03.12.2024

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

Yuva

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

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



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