



W.P.(MD)No.29392 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2024

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.29392 of 2024

Balamurugan

...Petitioner

vs.

1.The District Collector,
O/o. the District Collector,
Tirunelveli.

2.The Branch Manager,
M/s.Reliance General Insurance Company Ltd.,
No.10/414, Thaga Plaza 2nd Floor,
Vannarpettai South Bye Pass Road,
Tirunelveli.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the first respondent to implement the order passed in Na.Ka.No.Aa2/6627/2023 dated 18.06.2024 by the Joint Commissioner of Labour, Madurai collecting the claim amount of Rs.10,01,306/- along with interest at the rate of 12% under the Revenue Recovery Act, from the second respondent and deposit the same into the account of Joint Commissioner of Labour, Madurai by considering the petitioner's representation dated 25.11.2024 within a stipulated period as may be fixed by this Court.



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For Petitioner : Mr.L.Prabhu

For Respondents : Mr.P.Thambidurai
Government Advocate for R1

ORDER

This writ petition is filed to direct the first respondent to implement the order of the Joint Commissioner of Labour, Madurai dated 18.06.2024 by considering the petitioner's representation dated 25.11.2024.

2. Mr.P.Thambidurai, learned Government Advocate takes notice for the first respondent. Since no adverse orders is to be passed against the second respondent, notice to him is dispensed with.

3. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The learned counsel appearing for the petitioner would submit that the Labour Court passed an order on 29.08.2023 directing the second respondent to pay a sum of Rs.10,01,306/- to the petitioner together with



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interest at the rate of 12% per annum within a period of 30 days and recover the same from the owner of the offending vehicle. Since the said order was not complied by the second respondent, the Joint Commissioner of Labour, Madurai, passed an order on 18.06.2024 directing the first respondent to initiate proceedings to recover the said amount from the second respondent under the Revenue Recovery Act. In this regard, the petitioner has given a representation to the first respondent on 25.11.2024. However, the same is yet to be considered. Hence, the present petition.

5. The learned Government Advocate appearing for the first respondent would submit that the first respondent would initiate steps to recover the amount as ordered by the Joint Commissioner of Labour, Madurai and the amount will be recovered within a period of four weeks time.

6. I have given due consideration for the submissions made on either side and perused the materials placed before this Court.



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7. Admittedly, the second respondent failed to pay the amount as ordered by the Labour Court on 29.08.2023 within a period of 30 days. Hence, as per the orders passed by the Joint Commissioner of Labour, Madurai, now, it is for the first respondent to take steps and recover the amount from the second respondent. In view of the same, the first respondent is directed to consider the representation of the petitioner dated 25.11.2024 and initiate proceedings and recover the amount from the second respondent as ordered by the Joint Commissioner of Labour on 18.06.2024, within a period of four weeks from the date of receipt of a copy of this order.

8. Accordingly, the Writ Petition is allowed. No costs.

06.12.2024

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

mbi



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To

The District Collector,
O/o. the District Collector,
Tirunelveli.

Note: Issue Order Copy today



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KRISHNAN RAMASAMY, J.

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