



WEB COPY



W.P.No. 30095 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.07.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 30095 of 2023
&
W.M.P.No. 29718 of 2023

S. Aruldoss

...Petitioner

Vs.

1.The District Collector
Coimbatore District
Coimbatore

2.The Tahsildar,
Valparai,
Coimbatore District.

3.The Management
Anali Rubber Estate,
Anali,
Nearby Pudukadu Tata Coffee Estate,
Valparai, Coimbatore District.

...Respondent



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to initiate Revenue Recovery proceedings against the 3rd respondent and recover to the compensation amount together with interest pursuant to the award made in WC.No.82 of 2015 dated 16.12.2015 on the file of the Commissioner for Workman Compensation, Coimbatore – 18.

For Petitioner	:	Mr. S.Deepan For Mr. M.Muthappan
For Respondents 1 & 2	:	Mr. M.Murali Government Advocate
For Respondent 3:	:	Mr. Anand Gopalan For M/s.Agam Legal.

ORDER

The petitioner had approached this Court seeking direction to the District Collector to initiate revenue recovery proceedings against the 3rd respondent. The petitioner is the workman under the 3rd respondent Management.



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2. On 25.10.1973, petitioner had met with an accident while he was in duty. The petitioner thereafter approached Deputy Commissioner of Labour cum Commissioner for workman compensation in W.C.No.82 of 2015 claiming compensation and an award was passed on 16.12.2015 directing the 3rd respondent to pay compensation of Rs.1,51,559/- together with interest at 12% p.a.

3. Since the amounts were not paid the petitioner made a representation to the Deputy Commissioner, Coimbatore to recover the compensation amount. He inturn had sent proforma to the District Collector to take action vide letter dated 03.04.2017. Since there was no progress the petitioner filed WP.No.24235 of 2018 seeking mandamus to the District Collector to recover the same.

4. When the matter had come up this Court had directed the District Collector to submit an action taken report for the letter of the Deputy Commissioner dated 19.09.2018 and the matter was posted on



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26.09.2018. On 26.09.2018 it was represented on behalf of the District Collector that the Tahsildar had visited the property which has to be put up for auction and proceedings would be issued on 04.10.2018. Twice thereafter it was adjourned and final order was passed on the basis of the representation of the Additional Government Pleader that the Tahsildar is executing the order of the Deputy Commissioner of Labour within a period of 1 month from the date of the order, namely 02.11.2018.

5. Though such a representation was made before this Court, no action was taken to recover the compensation amount and once again the petitioner had to walk back and forth to the District Collector as well as the Management. The petitioner issued a legal notice dated 03.08.2021 to the District Collector as well as the Management. However, there was no response once again a representation was made on 14.12.2022. Pursuant to which the Tahsildar had issued a fresh notice to the Management. However, there has been no progress.



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6. In these circumstances, the petitioner has left with no other alternative except to approach the Court.

7. Heard the learned counsels on the either side and perused the records.

8. The conduct of the respondents 1 and 2 deserves to be deprecated. After making a representation before this Court in the earlier Writ Petition, namely, WP.No.24235 of 2018 steps have not been taken to initiate revenue recovery proceedings. The fact that no further progress has been made only gives out an impression that the authorities are indifferent or they are colluding with the 3rd respondent.

9. Be that as it may, the 1st and 2nd respondents shall initiate revenue recovery proceedings and recover possession within a period of 3 months from the date of receipt of a copy of this order.



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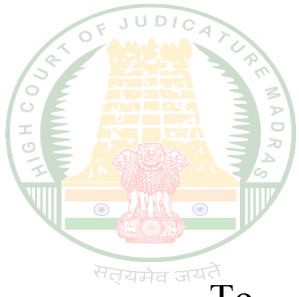
10. The Writ Petition is allowed. Consequently, the connected miscellaneous petition is closed. No costs.

03.07.2025

Index : Yes/No

Internet : Yes/No

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To
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Coimbatore District
Coimbatore

2.The Tahsildar,
Valparai,
Coimbatore District.



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P.T. ASHA, J,

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