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W.P. No.38869 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.07.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P. No.38869 of 2024

D.Kalidoss

... Petitioner

Vs.

1.The District Collector
District Collectorate
Cuddalore District.

2.The Deputy Labour Commissioner-2
Office of the Deputy Labour Commission-2
Teynampet, Chennai - 600 006.

... 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 take necessary action to recover the compensation amount of Rs.3,94,285/- with 12% interest from 14.09.2010 till the date of realization under the Revenue Recovery Act as directed by the Deputy Labour Commissioner-2, Chennai, by order dated 14.12.2012 within the time frame fixed by this Court.

For Petitioner : Mr.R.R.Pradheep

For Respondents : Mrs.M.Jayanthi
Additional Govt Pleader for R1 & R2



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ORDER

The writ petition is filed for the following relief :

"To issue a Writ of Mandamus directing the first respondent to take necessary action to recover the compensation amount of Rs.3,94,285/- with 12% interest from 14.09.2010 till the date of realization under the Revenue Recovery Act as directed by the Deputy Labour Commissioner-2, Chennai, by order dated 14.12.2012 within the time frame fixed by this Court."

2. The petitioner was employed under his employer, one Kumar as a machine operator on daily wages of Rs.300/-. On 14.09.2010, while he was engaged in his employment, his right hand was amputated. Seeking compensation, he filed a claim petition in W.C.No.102/2011 against his employer, before the Deputy Labour Commissioner-2, Chennai, the second respondent herein. His employer filed a counter and thereafter he remained absent throughout. Therefore, his employer was set exparte. The petitioner's disability was fixed as 65% permanent disability and the learned Commissioner had passed an award on 14.09.2010, in and by which, she had directed the employer to deposit the award amount for a sum of Rs.3,94,285/- along with 12% interest into the Court within a period of 30 days from the date of receipt of the order. However, the employer had failed



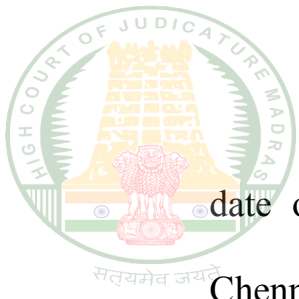
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to deposit the compensation amount. Thereafter, the second respondent vide proceedings dated 16.04.2019, had directed the District Collector, the first respondent herein to recover the dues under the Revenue Recovery Act from the employer and to hand over the same to them. But to date, no action was taken by the first respondent. The petitioner has alleged that several reminders in this regard were sent to the first respondent on 20.05.2019, 19.07.2019 and 03.09.2019. Hence, the petitioner is before this Court seeking a mandamus.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. Considering the limited scope of prayer sought for in this writ petition, and also the fact that the petitioner was deprived of his entitlement from the year 2012, the writ petition is allowed and a mandamus is issued to the District Collector, Cuddalore, the first respondent herein to initiate recovery proceedings against the employer, Kumar, the first respondent in W.C.No.102 of 2011 and to recover the compensation amount of Rs.3,94,285/- from him along with 12% interest from 14.09.2010 till the



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date of realization, as directed by the Deputy Labour Commissioner-2, Chennai, in the order dated 14.12.2012 in W.C.No.102 of 2011, within a period of two months from the date of receipt of a copy of this order. No costs.

10.07.2025

Index : Yes/No
Neutral Citation : Yes / No
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To :

- 1.The District Collector
District Collectorate
Cuddalore District.
- 2.The Deputy Labour Commissioner-2
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Teynampet, Chennai - 600 006.



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P.T. ASHA, J.

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