



W.P.(MD) No.9661 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.9661 of 2025

M.Nanthini Devi

... Petitioner

-VS-

1.The District Collector
Dindigul, Dindigul District

2.The Labour Commissioner Tribunal
(Commissioner for Workmen's Compensation)
Dindigul, Dindigul District

3.The Tahsildar
Palani Taluk
Palani

4.S.Kathirvel

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 & 2 to recover the sum of Rs.85,754/- together with interest at the rate of 12% per annum with effect from the date of accident to till the date of deposit from the fourth respondent as per the award dated 02.05.2022 passed in W.C.No.78 of 2018 in accordance with Section 31 of the Employees Compensation Act, 1923, within a time stipulated by this Court.



W.P.(MD) No.9661 of 2025

WEB COPY

For Petitioner : Mr.R.Aravindraj

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader for R1 to R3

ORDER

This writ petition has been filed by the petitioner seeking a writ of mandamus directing the respondent Nos.1 & 2 to recover the sum of Rs.85,754/- together with interest at the rate of 12% per annum with effect from the date of accident till the date of deposit from the respondent No.4 as per the Award dated 02.05.2022 passed in W.C.No.78 of 2018, by the respondent No.3, in accordance with Section 31 of the Employees Compensation Act, 1923, within a time stipulated by this Court.

2. When the matter was taken up for consideration on the earlier occasion on 23.04.2025, it was brought to the notice of this Court by Mr.S.Shanmugavel, learned Additional Government Pleader, that there are no properties standing in the name of the respondent No.4 and for that reason, the respondent Nos.1 & 3 are not in a position to proceed further to recover the amounts due from the respondent No.4. In view of the same, the matter was adjourned to today to enable the learned counsel for the petitioner to ascertain the same and inform this Court.



W.P.(MD) No.9661 of 2025

WEB COPY

3. Today, when the matter is taken up for consideration, learned counsel for the petitioner submitted that the petitioner is willing to approach the respondent Nos.1 & 3 bringing to their notice about the properties possessed by the respondent No.4 and the fraudulent activities committed by the respondent No.4 to defeat the respondent Nos.1 & 3 from recovering the amounts due to the petitioner herein.

4. In view of the same, this writ petition is disposed of by permitting the petitioner to approach the respondent No.3 by submitting a representation for recovering the dues from the respondent No.4 by duly furnishing necessary information and in case if the petitioner approaches the respondent No.3, the respondent No.3 shall take appropriate action in accordance with law for recovery of the dues from the respondent No.4, under the Award dated 02.05.2022, passed in W.C.No.78 of 2018, by the respondent No.3, under the provisions of the Workmen Compensation Act, 1923. No costs.

28.04.2025

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

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Page 3 of 5



W.P.(MD) No.9661 of 2025

WEB COPY

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W.P.(MD) No.9661 of 2025

MUMMINENI SUDHEER KUMAR, J.

krk

W.P.(MD) No.9661 of 2025

28.04.2025

Page 5 of 5