



W.P(MD)No.16410 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.10.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.16410 of 2021

and

W.M.P.(MD)No.13273 of 2021

K.Shenbagam

... Petitioner

Vs

**1. The District Collector,
Tenkasi District , Tenkasi.**

**2. The Deputy Commissioner of Labour, (Workmen Compensation),
Labour Court of the Deputy Commissioner,
Tirunelveli.**

**3. The District Collector,
Tirupur District, Tirupur.**

**4. Jameem Zachariah,
M/s.J.C.Three Star Hotel,
Velambalayam, Tirupur.**



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5. Bank of India,
1st Floor, Chambor Tower,
8/732, Avinasi Road,
Coimbatore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing these respondents 1 and 3, to pay this petitioner, the awarded amount of Rs. 6,50,167/- by the 2nd respondent passed in W.C.No.85/2014, dated 31/05/2017, in the labour of the Deputy Commissioner Court Tirunelveli, within a time frame, by invoking the Revenue Recovery Act.

For Petitioner : Mr.Eugene.F.X.,

For R1-R3 : Mr.C.Venkatesh Kumar
Special Government Pleader



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ORDER

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This petition has been filed seeking a direction to the respondents 1 and 3, to pay the award amount of Rs.6,50,167/- as per the order passed by the second respondent in W.C.No.85 of 2014, dated 31.05.2017.

2.The petitioner who suffered disability during the course of construction at Tirupur has filed a claim petition under the employees Compensation Act in W.C.No.85 of 2014 and the same was allowed by an order dated 31.05.2017 directing the fourth respondent to pay a sum of Rs.6,50,167/-, within a period of thirty days to the petitioner. However, the same was not complied by the fourth respondent. Therefore, the petitioner has filed an execution petition before the second respondent and the second respondent by his letter, dated 29.01.2019 directed the third respondent to collect the compensation amount by invoking the Revenue Recovery Act. The third respondent in turn directed the Tahsildar, North Taluk, Tirupur to recover the amount from the fourth respondent under the revenue Recovery Act by his proceedings dated 26.06.2019. Even thereafter nothing had taken place and therefore, the petitioner has filed this writ petition in the year 2021 seeking a writ



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of Mandamus directing the respondents 1 and 3 to recover the amount of Rs.6,50,167/- from the fourth respondent pursuant to the order in W.E.C.No.85 of 2014 dated 31.05.2017.

3.The petitioner is a native of Vasudevanalur in Sivagiri Taluk, Tenkasi District. Seeking job, the petitioner went for construction work and was engaged by the fourth respondent for construction of a hotel at Tirupur. During the Course of his employment on 26.03.2014, the petitioner fell down from the seventh floor due to the collapse of the scaffoldings and breaking of the rafters, he suffered injury on his two limbs and he has also suffered 50 percent disability. Therefore, the petitioner has filed the above claim petition before the second respondent in the year 2017 and the same was also allowed by order dated 31.05.2017. However, the award passed by the second respondent is not implemented till date. Though the petitioner has approached this Court in the year 2021, the respondents have not taken any initiative to recover the amount of compensation awarded by the second respondent in W.C.No.85 of 2014.



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4. Therefore, this Court allow this writ petition with a direction to the third respondent to ensure that the sum of Rs.6,50,167/- together with interest at the rate of 8% till date shall be recovered from the fourth respondent as directed in W.C.No.85 of 2014 dated 31.05.2017 within a period of six months from the date of receipt of a copy of this order. The first respondent, who is the jurisdictional District Collector, where the petitioner is residing shall also ensure the recovery of award amount as directed in W.C.No.85 of 2014 as directed by this Court from the fourth respondent by the third respondent.

5. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

29.10.2025

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

LR



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