



W.P.(MD).No.27974 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27974 of 2022

and

W.M.P(MD) Nos.22049 to 22051 of 2022

R.Murugaiah

... Petitioner

Vs.

1. The Joint Commissioner of Labour,
Dindigul.

2. The Principal,
University College of Engineering
(Anna University)
Idayapatti, Maangarai Pirivu,
Palani Road, Dindigul.

3. Santhakumari

4. Sahayasaranyadevi

5. Anthony Ignasious

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire record pertaining to the impugned order passed by the first respondent in E.C.No.67 of 2018, dated 23.12.2021 as well as the consequential impugned order passed by the second respondent in Lt.No.056/UCED/BOILER CASE, dated 07.03.2022 and quash the same as illegal and



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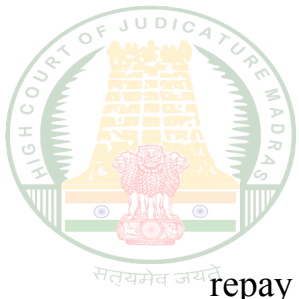
consequently direct the second respondent to reimburse the amount recovered from this writ petitioner pursuant to the impugned order in Lt.No.056/UCED/BOILER CASE dated 07.03.2022, within a time stipulated by this Court.

For Petitioner : Mr.P.M.Vishnuvarthanan
For R1 : Mr.G.V.Vairam Santhosh
Additional Government Pleader
For R2 : Mr.John Rajadurai
For R3 to R5 : Mr.S.Pugalendhi

ORDER

The present writ petition has been filed challenging the award passed in E.C.No.67 of 2018, on the file of the first respondent and the consequential recovery order passed by the second respondent herein.

2. The writ petitioner herein was arrayed as the first respondent in E.C.No.67 of 2018 and an award was passed on 23.12.2021, wherein, the second respondent in the writ petition, namely, Anna University was directed to pay the compensation amount and thereafter, recover the same from the writ petitioner. This award was not put to challenge by the writ petitioner. The second respondent University has deposited the compensation amount and has passed the impugned order on 07.03.2022 directing the writ petitioner to



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repay the amount to the University. These two orders are under challenge in the present Writ Petition.

3. According to the learned counsel appearing for the writ petitioner, under the provisions of Employees Compensation Act, 1923, an award cannot be passed as against the writ petitioner herein.

4. This Court is not inclined to accept the said contention, in view of the fact that the petitioner is having an effective alternative appellate remedy under the Employees Compensation Act, 1923.

5. In view of the above said position of law, this Writ Petition stands disposed of with liberty to the petitioner to challenge the award passed in E.C.No.67 of 2018 if he is so advised. There shall be no order as to costs. Consequently connected Miscellaneous Petitions stand closed.

10.06.2025

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

Registry is directed to return the original impugned order to the petitioner after getting necessary endorsement after retaining a copy of the same for record.

To

1. The Joint Commissioner of Labour,
Dindigul.
2. The Principal,
University College of Engineering
(Anna University)
Idayapatti, Maangarai Pirivu,
Palani Road, Dindigul.



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R.VIJAYAKUMAR,J.

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