

**(2010) 10 MAD CK 0376**

**In the Madras High Court**

**Case No : Writ Petition No. 1933 of 2009**

K. Saraswathy, Manikandan and Manjula

APPELLANT

Vs

The District Collector, M. Singaravelar Maligai, The Tahsildar,  
The Deputy Commissioner of Labour-I and The General  
Manager, Bharathi Infotel Ltd.

RESPONDENT

---

**Date of Decision : 01-10-2010**

**Acts Referred:**

**Citation : (2010) 10 MAD CK 0376**

**Hon'ble Judges : K.B.K. Vasuki, J**

**Bench : Single Bench**

**Advocate : P. John Victor, for the Appellant; K. Balakrishnan, AGP, for the Respondent**

---

## **Judgement**

K.B.K. Vasuki, J.—On consent, writ petition is taken up for final hearing at the admission stage.

2. The relief sought for herein is for directing the Respondents 1 to 3 to recover the award amount as per the award dated 28.12.2005 made in W.C. No. 380 of 2004 on the file of the 3rd Respondent by initiating appropriate proceedings under the Revenue Recovery Act.

3. The Petitioners herein are the wife and children of one Kumar who died on 22.06.2003 during the course of his employment under the 4th Respondent. The Petitioner filed W.C. No. 380 of 2004 claiming compensation for the death of her husband against the 4th Respondent/sub contractor. The petition was after due contest allowed on 28.12.2005 thereby directing the 4th Respondent to deposit a sum of Rs. 4,36,320/- with interest at 12% per annum from the date of the accident. The 4th Respondent neither preferred an appeal against the award nor complied with the award by depositing the award amount, which compelled the Petitioner to make representation to the 3rd Respondent for initiating Revenue Recovery proceedings for the recovery of the award amount from the 4th Respondent. The 3rd Respondent has also by way of reply to the representation

sent notice to the 4th Respondent, but there was no progress in the proceedings and the same compelled the Petitioner to approach the first Respondent/District Collector in vain, the Petitioner has at last come to this Court for the relief as stated supra.

4. During the pendency of the writ petition, the Respondent are directed to initiate appropriate proceedings against the 4th Respondent for the recovery of the amount. It is now represented by the learned Counsel for the Petitioner, that the 4th Respondent has already deposited the amount before the appropriate authority.

5. That being the subsequent development, the Petitioner can be permitted to approach the appropriate authority for the withdrawal of the amount deposited by the 4th Respondent.

6. The writ petition is accordingly disposed of. No costs.