



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Miscellaneous Appeal No.2319 of 2026

and

C.M.P.No.17762 of 2026

United India Insurance Co. Ltd.,
Cristo Building Bank Road,
Udhagamandalam.

..Appellant

Vs

1. Renuka Srinivasan,
W/o.Late Srinivasan
2. The General Manager,
M/s.Manjushree Plantation Ltd.,
New Hope Post, Gudalur Taluk,
Nilgiris District.

..Respondents

Civil Miscellaneous Appeal filed under Section 30 of Workmen's Compensatino Act, 1923, against the award made in E.C.No.37 of 2022 dated 08.11.2024 on the file of the Commissioner for Employees Compensation, Deputy Commissioner of Labour, Erode.

For Appellant : Ms.C.Harini
for Mr.MB Raghavan
For Respondents : Ms.A.Mary of Magthelen
No appearance [R2]

JUDGMENT

This appeal has been filed by the insurance company against the order passed by the Commissioner for Employees Compensation, Deputy



Commissioner of Labour, Erode, passed in E.C.No.37 of 2022 dated 08.11.2024.

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2. The first respondent filed a claim petition under Rule 20 of the Workmen Compensation Act, 1923 [hereinafter referred to as 'the Act'], before the Deputy Commissioner of Labour on the ground that her husband late Srinivasan was a permanent employee working in the second respondent plantation company and on the fateful day i.e. 23.03.2020, when he was engaged on his duty of supplying pesticides, manure, chemicals and other goods and was driving a tractor in a rough terrain, he suffered chest pain at about 09.00 a.m. and he was rushed to the hospital where he was declared dead due to cardiac arrest. It is under these circumstances, the first respondent filed the petition seeking compensation on the ground that there is an employer-employee relationship between the second respondent and the deceased and the death had taken place in the course of employment.

3. The second respondent herein, who is the employer, filed a counter denying the stand taken in the petition stating that the death had taken place only due to natural causes and there is absolutely no material to establish that there was nexus between the work performed by the deceased and the death caused.

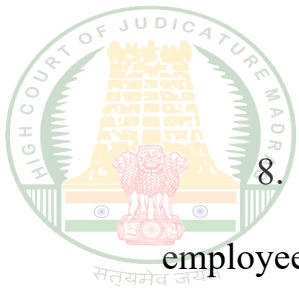


4. The appellant also filed a counter and took a stand that the deceased had died due to natural causes and the death did not take place in the course of employment and therefore, the insurance company is not liable to pay any compensation in this case.

5. The Deputy Commissioner of Labour, on considering the facts and circumstances of the case and on appreciation of evidence, came to a conclusion that the deceased suffered cardiac arrest in the course of employment and that the relationship of employer-employee has been substantiated and therefore, proceeded to fix the compensation at Rs.7,99,023/- and directed the appellant insurance company to pay the same with interest at 12% p.a. Aggrieved by the same, the present appeal has been filed.

6. Heard learned counsel for appellant and learned counsel for first respondent. This Court also considered the materials available on record and carefully went through the impugned order.

7. The short point that arises for consideration is as to whether the first respondent/claimant failed to prove that the death of the deceased was due to the stress and strain arising out in the course of employment and consequently, the appellant insurance company is liable to pay the compensation.



8. In the case in hand, there is no dispute regarding the employer-employee relationship between the deceased and the first respondent. It is also not in dispute that the deceased suffered cardiac arrest at the time when he was driving the tractor. The only question is whether the cardiac arrest and the consequent death has any nexus to the employment of the deceased.

9. The deceased was a person aged about 44 years. There is no material to show that he already suffered any ailment, which got aggravated and consequently, he died of the same. There is also no material to establish that the deceased was elsewhere and was not in employment at the time of incident. The cardiac arrest has taken place when the deceased was performing his work. Under such circumstances, the normal presumption is that the deceased suffered cardiac arrest in the course of his employment.

10. I had an occasion to deal with a similar issue in a recent judgment in ***The Chief General Manager, M/s.NLC India Limited, Mine - 1A, Neyveli, v. Smt.M.Latha and another [C.M.A No.1556 of 2022, dated 21.07.2026]***. The relevant portions are extracted hereunder:

*“13. It would suffice to take note of the latest judgment of the Hon’ble Apex Court in this regard in the case of **Chairman, Vaidyanath Sahakari Sakhar Karkhana Ltd. Vs. Shantabhai [Civil Appeal No.3556 of 2025 (arising out of SLP(C) No. 29239 of 2019) dated 13.2.2025]**, in which, the relevant portions read thus:*

“4. According to the respondents/ claimants, on 01.12.2008 while the deceased workman was working in the



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sugar factory in the shift between 12.00 PM and 08.00 PM, due to pressure of work and psychological tensions, he suffered a heart-attack and was admitted to Sanjivani Hospital in Parali. However, he could not survive and died due to the heart-attack. At the time of death, the deceased workman was 50 years old and was drawing a monthly salary of Rs.8,950/-.

.....
14. The expression “accident” according to P.Ramanatha Aiyar’s Advance Law Lexicon Dictionary means ‘undesigned, sudden or unexpected event; mishap; misfortune; disaster’. The word ‘accident’ is derived from the Latin verb ‘accidere’ signifying “fall upon, befall, happen, chance”. In other words, it is a sudden and unexpected event taking place without expectation upon the instant, rather than something which continues, progresses or develops; something happening by chance not according to usual course of things or events, out of the range of ordinary calculations; that which exits or occurs abnormally, or an uncommon occurrence.

15. The word “accident” generally denotes an event that takes place without one’s foresight or expectation; an event which proceeds from an unknown cause, or is an unusual effect of a known cause, and therefore not expected; chance, casualty, contingency (Webster Dictionary).

16. In other words, an “accident” being an unforeseen event causing a misfortune or loss is different from an omission which is as a result of negligence or misconduct. Therefore, the expression “accident” means an untoward mishap which is not expected or designed. In the context of the Act under consideration, the term “accident” for the purpose of seeking compensation for personal injuries sustained would include any injury which is not designed by the workman himself. Thus, the word “accident” would include all mishaps occurring by chance or caused unintentionally and events happening due to unforeseen circumstances under Section 3(1) of the Act. It must be interpreted as mishap or “untoward event not expected or designed” in the popular and ordinary sense. If the injury or death occurred without designed on the part of the workman then the death or injury would be by accident, although it was brought about by a heart attack or some other cause to be found in the condition of the workmen himself. The expression “accident” not being defined under the Act must be interpreted to be an untoward event which is not expected or designed; therefore, an accident means unintended and unexpected occurrence which produces hurt or loss. The interpretation of the word “accident”



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must be in the popular and ordinary sense and not in a technical sense. Thus, the expression “accident” arising out of and in the course of his employment in Section 3(1) of the Act must be so interpreted as to establish that

- (1) at the time of the accident he was in fact engaged in the duties of his employment;*
- (2) that it occurred at the place where he was performing those duties; and*
- (3) that the immediate act which led to the accident is not so remote from the sphere of his duties so as to be regarded as something foreign to them.*

17. In Shakuntala Chandrakant Shreshti vs. Prabhakar Maruti Garvali & Another, (2007) 11 SCC 668, while applying Section 3 of the Act, this Court observed that the tests attracting the provision of Section 3 of the Act would require the following principle to be proved:

- (1) There must be a causal connection between the injury and the accident and the accident and the work done in the course of employment.*
- (2) The onus is upon the applicant to show that it was the work and the resulting strain which contributed to or aggravated the injury.*
- (3) If the evidence brought on records establishes a greater probability which satisfies a reasonable man that the work contributed to the causing of the personal injury, it would be enough for the workman to succeed, but the same would depend upon the fact of each case.*

18. In the said case, taking note of the fact that the deceased died as a result of heart attack and he was working as a helper, it was observed that per se the duties would not be such which would cause stress and strain. If an additional duty was required to be performed by the deceased, the same was required to be clearly stated. In the facts of the said case, this Court declined to grant any relief and observed that the case did not fall within the scope and ambit of Section 3 of the Act.

19. We have considered the aforesaid judgments in light of the facts of the present case and perused the material on record. Having regard to the nature of the job that the deceased was performing as a Quadruple mate in the appellant-Factory and the cause of his death, we find that there was a causal connection between the death and the nature of the job that the deceased workman was discharging in the appellant-factory.”



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14. The above judgment of the Hon'ble Apex Court succinctly brings out the meaning of the word '**accident**' and as to how it must be construed qua the claim made under the Workmen's Compensation Act/Employees' Compensation Act. It was held that in order to bring out a case under Section 3(1) of the Act, it must be established that the workman was engaged in the duties of his employment, that the accident occurred at the place where he was performing those duties and that the immediate act, which led to the accident, was not so remote from the sphere of his duties so as to be regarded as something foreign to them.

15. If the above test is applied to the facts of the present case, all the ingredients are satisfied and the finding rendered by the Labour Commissioner to the effect that the stress and strain involved in the work has led to heart attack, does not suffer from perversity warranting the interference of this Court. Ex consequenti, the question of law framed by this Court is answered accordingly in favour of the first respondent/wife of the deceased employee."

11. Relying upon the judgment of the Apex Court in the case of **Shantabhai**, this Court held that to bring a case under Section 3(1) of the Act, it must be established that the workman was engaged in the duties of his employment and the accident had occurred in the place where he was performing his duties and that the immediate act, which led to the accident, was not so remote from the sphere of his duties so as to be recorded as something foreign to them.

12. In the case in hand, the deceased was working in a plantation farm and obviously, the terrain in which he was driving the vehicle is a very rough terrain. He has been performing this work for a long time. Therefore, this Court holds that the accident was not so remote from the sphere of his duties.



N.ANAND VENKATESH, J.
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13. In the light of the above discussion, this Court finds that the order passed by the Deputy Commissioner of Labour does not suffer from any perversity warranting interference of this Court.

14. As a result, the order passed by the Commissioner for Employees Compensation, Deputy Commissioner of Labour, Erode, passed in E.C.No.37 of 2022 dated 08.11.2024, is upheld.

15. It is brought to the notice of this Court that the entire compensation amount has already been deposited by the appellant insurance company. The first respondent is permitted to withdraw the same on due application.

Accordingly, this Civil Miscellaneous Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

gm

To

The Commissioner for Employees Compensation,
Deputy Commissioner of Labour, Erode.

Civil Miscellaneous Appeal No.2319 of 2026