

C.R.P(MD)No.3942 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P(MD)No.3942 of 2025

S.Veeramaripandiyar

... Petitioner

Vs.

Mallika

.... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order made in I.A.No.17 of 2023 in E.C.No.68 of 2021 dated 24.09.2025 on the file of the Commissioner for Employees Compensation, Madurai, allow the above civil revision petition and thus render justice.

For Petitioner : Mr. S. Kumar
For Respondent : No appearance

ORDER

Challenging the order made in I.A.No.17 of 2023 in E.C.No. 68 of 2021 dated 24.09.2025 on the file of the Commissioner for Employees Compensation, Madurai, the present writ petition has been filed by the revision petitioner.



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2. Learned counsel appearing for the petitioner would submit that the petitioner is running a coir manufacturing unit in the name and style of “Veeramaripandiyan Coir Factory” at Mullipallam Village. The respondent was employed as a labourer in the petitioner’s establishment for about four years. On 13.03.2013, while the respondent was engaged in her work and the coir machine was in operation, her right hand was accidentally caught in the machine while feeding coconut coir. As a result, the fingers of her right hand were crushed. A criminal case was also registered by the jurisdictional police in Crime No.121 of 2013. The respondent was immediately admitted to the hospital, where the crushed fingers had to be surgically removed. Thereafter, the respondent filed a claim petition before the Commissioner for Employees’ Compensation, Madurai, claiming compensation of Rs.10,37,556/-. By award dated 17.10.2022 in E.C. No.68 of 2021, the Commissioner directed the petitioner to pay a sum of Rs.3,68,909/- together with interest at 12% per annum from the date of the accident till the date of realisation. Subsequently, the petitioner filed I.A. No.17 of 2023 seeking to set aside the *ex parte* award. However, the said application came to be dismissed on 24.09.2025 on the ground that the petitioner had failed to



establish sufficient cause for setting aside the award. Challenging the said order, the present Civil Revision Petition has been filed.

3. The learned counsel for the petitioner would submit that the revision petition has been filed mainly on the ground that the petitioner has been denied an effective opportunity to contest the Employees' Compensation proceedings on merits. Unless the *ex parte* award is set aside and the main Employees' Compensation case is restored to file, compelling the petitioner to adduce evidence in the interlocutory application alone would serve no useful purpose. Accordingly, he prayed for allowing the revision petition.

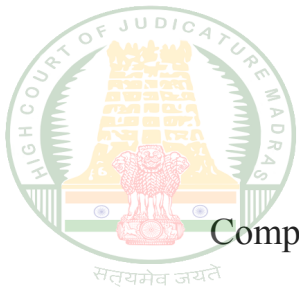
4. Though the name of the respondent is printed in the cause list, there is no representation on behalf of the respondent.

5. Considering the materials available on record, this Court finds that the employer-employee relationship between the parties is not in dispute. It is also not in dispute that the respondent sustained injuries during the course of her employment on 13.08.2013, resulting in the crushing and subsequent amputation of the fingers of her right hand. The



accident occurred in the year 2013. The claim petition was thereafter filed and culminated in an *ex parte* award only on 17.10.2022. Thus, there has been considerable delay in the disposal of the Employees' Compensation proceedings. In order to balance the equities between the parties and to afford the petitioner an opportunity to contest the matter on merits, while at the same time safeguarding the interest of the injured employee, this Court is inclined to interfere with the impugned order subject to conditions.

6. Accordingly, the impugned order dated 24.09.2025 passed in I.A. No.17 of 2023 is set aside. The Commissioner for Employees' Compensation/Labour Court is directed to restore E.C. No. 68 of 2021 to its file, subject to the condition that the petitioner shall deposit the principal award amount of Rs.3,68,909/- before the Commissioner for Employees' Compensation within a period of four (4) weeks from the date of receipt of a copy of this order. Thereafter, the Commissioner for Employees' Compensation is directed to dispose of the same afresh on merits and in accordance with law within a period of eight (8) weeks thereafter. Upon fresh disposal of the Employees'



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Compensation case, the successful party shall be entitled to withdraw the amount in accordance with the final award.

7. The Civil Revision Petition is disposed of accordingly.

No costs.

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Index : Yes/No
Internet : Yes/No
PKN

To

- 1.The Commissioner for Employees Compensation, Madurai.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J.

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