

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.V.RAMAKRISHNA PILLAI

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

WP(C).No. 15739 of 2015 (N)

PETITIONER(S):

**SIVADASAN, AGED 43 YEARS,
S/O.VASU PILLAI, KOCHERRY MADOM,
PALLIPPURAM KALATHIL DESOM,
PALLIPPURAM VILLAGE,
CHERTHALA TALUK.**

BY ADV. SRI.B.PRAMOD

RESPONDENT(S):

- 1. HARI.K, KUZHIKKATTINPURATH HOUSE,
KUZHIKKATTUKONAM PO, MADAYIKKONAM.**
- 2. THE ORIENTAL INSURANCE COMPANY LTD..
MANAPPATTU BUILDING, NORTH NADA,
KODUNGALLUR 680664.**
- 3. THE COMMISSIONER FOR WORKMEN COMPENSATION,
(DEPUTY LABOUR COMMISSIONER, CHEMBUKAVU, THRISSUR).**

R2 BY SMT.K.S.SANTHI, SC

R3 BY GOVERNMENT PLEADER SMT.K.A.SANJEETHA

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

PJ

WP(C).No. 15739 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**P1: TRUE COPY OF THE MEDICAL CERTIFICATE DATED 18.05.2007 ISSUED TO
THE PETITIONER FROM AMAL INSTITUTE OF MEDICAL SCIENCES**

P2: TRUE COPY OF THE APPLICATION FILED BEFORE THE 3RD RESPONDENT

RESPONDENT(S)' EXHIBITS

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

A.V. RAMAKRISHNA PILLAI, J.

W.P.(C) No. 15739 of 2015

Dated this the 28th day of May, 2015.

JUDGMENT

The limited prayer in this writ petition is for a direction to the third respondent for an expeditious disposal of the claim lodged by the petitioner, who was employed as a cleaner in a contract carriage vehicle.

2. The petitioner alleged that while on duty, he got seriously injured in a road traffic accident on 20.3.2007. As the accident was during the course of his employment, he moved the third respondent seeking compensation, by lodging Ext.P2 claim petition. Respondents 1 and 2 in this writ petition are opposite parties in Ext.P2 application. They are the owner and insured of the offending vehicle at the relevant time. The application was numbered as W.C.C.No.14/2008 and the respondents 1 and 2 entered appearance in the proceedings. The grievance of the petitioner is that even after a lapse of seven years, the claim petition has not so far been disposed of

by the third respondent.

Considering the nature of the prayer as well as the submissions made by the learned counsel for the petitioner, the writ petition is disposed of directing the third respondent to consider Ext.P2 claim petition submitted by the petitioner within a period of two months from the date of receipt of a copy of this judgment. It shall be open to the petitioner to produce a copy of the writ petition and a copy of this judgment before the third respondent to facilitate an early action.

Sd/-
A.V. RAMAKRISHNA PILLAI
JUDGE

Scl.