

C.M.P. No.12352 of 2016 & CMA No.3273 of 2013
in
MP.No.1 of 2013

T.MATHIVANAN,J.,

This petition is filed under Order 1, Rule 10(2) of the Code of Civil Procedure to implead the respondents 4 & 5 herein, as the proposed respondents in CMA No.3273 of 2013.

2. It is manifested from the records that on 19.07.2011, while Muthukumar, the husband of the petitioner herein, was on employment under the second respondent herein, had succumbed to injuries, due to fall of tree on him.

3. With a Claim Petition in E.C.No.115 of 2011, the Commissioner for Workmen compensation/Deputy Commissioner of Labour, Coimbatore, had proceeded to grant a sum of Rs.6,54,280/-, together with interest, after 30 days from the date of accident.

4.It is also brought to the notice of this Court that the second respondent/Principal employer had deposited the said amount.

5.The petitioner being the first respondent in the Appeal, she is the legally wedded wife of the deceased Muthukumar and out of wed

lock, she had no issues. However, the father of the deceased Muthukumar viz., Thangavel and mother Packiyathai are alive and they have to be impleaded as the legal heirs of the deceased as the proposed respondents in the Appeal.

6.Mr.K.Govindan, learned counsel appearing for the petitioner, has also produced a copy of the Legal Heir Certificate to substantiate the contention of the petitioner.

7.Mr.Anand, learned counsel appearing for the first respondent has no objection in allowing this petition.

8.In view of the above, this petition is allowed and the respondents 4 & 5 herein, as well as the petitioner are recognised as the legal heirs of the deceased Muthukumar.

9. Registry is directed to carry out necessary amendments in CMA No.3273 of 2013 and list the same on 5.08.2016.

02.08.2016

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