



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2017

CORAM:

THE HONOURABLE **MR. JUSTICE K. RAVICHANDRABAABU**

W.P. (MD) No. 2187 of 2017

WEB COPY

C. Dhanalakshmi

... Petitioner

Vs.

1. The Secretary,
Tamil Nadu Construction workers welfare Board,
8, Valluvar Kottam Highway,
Nungambakkam, Chennai.

2. The Labour Officer,
Social Security Scheme,
Tamil Nadu Housing Board 1st floor,
Ellis Nagar,
Madurai-16.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to sanction the accidental insurance amount of Rs. 1,00,000/- with interest to the petitioner as per the G.O. (Ms.) No. 34 (Labour and Employment (I-2) Department) dated 28.02.2011 in accordance with law within the time stipulated by this Honble Court.

For Petitioner : Mr. A. Rajaram

For Respondents : Mr. T. S. Mohammed Mohideen
Additional Government Pleader

O R D E R

Mr. T. S. Mohammed Mohideen, learned Additional Government Pleader takes notice for the respondents.

2. By consent of parties, the main Writ Petition itself is taken up for final disposal.

3. The petitioner seeks for a direction to the respondents to sanction the accidental insurance amount of Rs. 1 lakh as per G.O. Ms. No. 34 (Labour and employment 1- 2) Department dated 28.02.2011.

4. According to the petitioner, her son by name C. Velmurugan, who was employed as building construction worker died on 04.09.2007 in a road accident while returning home from the place of employment. Therefore, it is contended by the petitioner that such accident should be taken into account as the one happened in the course of employment. By contending so, the petitioner made an



application for disbursement of the insurance amount. However, the same was rejected by the proceedings of the second respondent dated 29.07.2009. Challenging the said proceedings, the petitioner preferred a representation/appeal before the first respondent on 10.08.2009. The grievance of the petitioner is that till this date, the first respondent has not passed any order.

5. The petitioner is directed to furnish the copy of the representation dated 10.08.2009 along with further grounds, if any to the first respondent within a period of two weeks from the date of receipt of copy of this order and on receipt of such communication, the first respondent shall pass orders on the same on merits and in accordance with law and also by taking note of G.O.Ms.No.34 dated 28.02.2011, within a period of 12 weeks thereafter, if the representation of the petitioner dated 10.08.2009 has not been disposed of so far.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary, Tamil Nadu Construction workers welfare Board,
8,Valluvar Kottam Highway, Nungambakkam, Chennai.

2.The Labour Officer, Social Security Scheme, Tamil Nadu Housing
Board 1st floor, Ellis Nagar, Madurai-16.

+1 cc to Mr. A.RAJARAM , Advocate, Sr.No: 7140

+1cc to M/S Special Government Pleader, Sr No. 7500

CM

MAS/PM-PN:20.02.2017:2P/5C

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