

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.M.A.No.158 of 2013
and M.P.No.1 of 2015

A. Magesh

... Appellant

Vs.

1. P.Arunachalam
2. A. Chitra
3. Velu Maistry/Contractor,
4. The Deputy Commissioner of Labour - I
Office of Commissioner of Workmen Compensation
Chennai 600 006.

... Respondents

Prayer : Civil Miscellaneous Appeal filed under Section 30 of the Workmen's Compensation Act, 1923 pleased to set aside the impugned order made in W.C.No.22 of 2007 dated 21.08.2012 received by Appellant on 27.08.2012 on the file of the Deputy Commissioner - I for Workmen Compensation, Chennai

For Appellant : M/s. K.S.Narayanan

For Respondent : Mr.K.Suryanarayanan for R1 & R2
No appearance for R4

J U D G M E N T

When the matter is taken up for hearing today (22.02.2018), the learned counsel appearing for the appellant and the learned counsel appearing for the first and second respondents submitted that the parties have arrived at mutually agreeable settlement and filed a Joint Memo of Compromise dated 22.02.2018 to that effect.

2. The first and second respondents/claimants have agreed to settle the dispute at Rs.4,59,580/- (Rupees Four Lakhs fifty nine thousand five hundred and eighty Only) along with accrued interest of Rs.580/- which was also deposited into the credit of W.C.No.22 of 2007. The appellant has also agreed that the first and second respondents can withdraw the said amount along with accrued interest. It is mutually agreed that no further claims will be made on this ground by both the parties. The said Joint Memo of Compromise reads as under:-

JOINT MEMO OF COMPROMISE

In the matter under reference, the Appellant herein deposited the amount of compensation awarded by the learned Commissioner for Workmen's Compensation (DCL I) on 19.10.2012 in the sum of Rs.4,59,580/-. The respondents 1 & 2 were permitted to withdraw 50% of the amount so deposited by

an order of this Hon'ble Court dated 01.04.2015. The balance 50% of the award compensation DCL I, Chennai to the credit of WC No.22 of 2007.

Now the parties herein i.e., the Appellant and the respondents 1 & 2 have agreed to compromise the matter on the following terms:-

- 1. The respondents 1 & 2 will be permitted to withdraw the balance amount in deposit with the Commissioner for Workmen's Compensation, DCL I, Chennai to the credit of W.C.No.22 of 2007 along with accrued interest if any.*
- 2. The respondents 1 & 2 shall not claim any further amount either by way of compensation or interest or penalty.*
- 3. The Appeal in view of the above shall stand dismissed/disposed of.*

3. This Civil Miscellaneous Appeal is disposed of in terms of the Joint Memo of Compromise, which shall form part of the order. No costs. Consequently, connected miscellaneous petition is closed.

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22.02.2018

Index :Yes/No.

Internet:Yes/No.

Speaking order/Non speaking order

dpq

M. GOVINDARAJ, J.

dpq

To
The Deputy Commissioner of Labour - I
Office of Commissioner of Workmen Compensation
Chennai 600 006.



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20.02.2018