

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.07.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

C.M.A. No.3159 of 2007

V.Jayachandran

... Appellant

-vs-

1.P.Govindaraj
(deceased)

2.The Commissioner for Workmen's
Compensation-II, Chennai &
The Deputy Commissioner of Labour-II,
DMS Compound, Chennai-600 006.

3.G.Venkattu

4.Maheshwari

5.Rajeshwari

6.Prameshwari

.... Respondents

R3 to R6 brought on record as LRs of the
deceased R1 viz. P.Govindaraj vide Court
order dated 30.11.2017 made in MPs 1, 2 & 3 of
2010 in C.M.A. No.3159 of 2007 by MGRJ

Prayer: Civil Miscellaneous Appeal filed under Section 30 of the
Workmen's Compensation Act, 1923 against the order of the
Commissioner for Workmen's Compensation - II, Chennai dated
05.10.2007 passed in W.C. No.373 of 2004 and received by the
appellant on 12.10.2007.

For Appellant : Mr.S.Saiprasad for
M/s.Sai Raaj Associates

For Respondents: Mr.T.Dhanyakumar for R1

Mr.A.Devnarendran,
Government Advocate for R2

R3 to R6 - not ready in notice

JUDGMENT

The appeal has been filed against the impugned order dated 05.10.2007 passed in W.C. No.373 of 2004 by the Commissioner for Workmen's Compensation - II, Chennai, awarding a sum of Rs.1,50,418/- payable to the injured.

2.Unfortunately when the injured met with an accident and subsequently died on 14.06.2008, it is not known why the appellant has not taken steps to serve notice on respondents 3 to 6. Registry records would clearly show that batta with petition and enclosures due regarding R3 to R6 and affidavit of service has not been filed for taking private notice on the legal representatives of the deceased first respondent.

3.Since the matter has been pending for quite 12 long years, this Court is inclined to dismiss the appeal for not taking sufficient steps to serve notice on respondents 3 to 6 and for prolonging the matter. Accordingly, the appeal fails and the same is dismissed. Consequently, connected M.Ps are closed. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vga

To

The Commissioner for Workmen's
Compensation-II, Chennai &
The Deputy Commissioner of Labour-II,
DMS Compound, Chennai-600 006.

+1cc to Mr.Sai Raj Associates, Advocate SR.63706
+1cc to Mr.T.Dhanyakumar, Advocate SR.63515
+1cc to the Government Pleader (CS) SR.62945

C.M.A. No.3159 of 2007

RSI (CO)
CB (04/11/2019)