

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.01.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

C.M.A.No.1738 of 2016

S. Manigandan

.. Appellant

Versus

1. K. Radhakrishnan

2. Royal Sundram Alliance General Insurance  
Co., Ltd., No.1, Club House Road,  
Chennai - 2.

.. Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 30 of Workmen Compensation Act 1923, against the decree and judgment dated 14.02.2013 made in W.C.No.87 of 2012 on the file of Commissioner for workmen's compensation - 2 (Deputy Commissioner of Labour - 2) Chennai.

For Appellant : Mr. K. Varadha Kamaraj

For Respondents : R1 - Not ready in notice  
R2 - No Appearance

#### J U D G M E N T

The learned counsel appearing on behalf of the appellant fairly made a submission that the appeal is filed only with reference to the interest awarded by the Deputy Commissioner of Labour on expiry of 30 days, if the award amount had not been deposited by the respondents. In other words, the award states that the opposite party should deposit the award amount, within a period of 30 days, failing which they are liable to pay interest at the rate of 12% per annum.

2. In view of the facts and circumstances, this Court is of the opinion that the statutory interest of 12% per annum is to be handed with effect from the date of accident. Accordingly,

the appellant is entitle for the award amount of Rs.2,26,147/- along with the interest at the rate of 12% per annum with effect from the date of accident. The second respondent/Royal Sundram Alliance General Insurance Co. Ltd., is directed to deposit the modified interest amount along with the award, within a period of 12 weeks from the date of receipt of copy of the judgment and on such deposit the appellant is permitted to withdraw the entire amount by filing an appropriate application and the payment sought to be made through RTGS. Thus, the award dated 14.02.2013 passed in W.C.No.87/2012 stands modified and CMA.No.1738/2016, stands allowed in part. No costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

AT

To

1. The Deputy Commissioner of Labour - 2/  
Commissioner for Workmen's Compensation-2,  
Chennai.

Copy to

2. The Section Officer,  
VR Section,  
Highcourt,  
Madras

+1cc to Mr.K. Varadhakaramaraj, Advocate, S.R.No.3379

SSV(CO)  
SM/03/03/2021

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