



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.25559 of 2021
and
W.M.P.no.26975 of 2021

Godaba Venkati

..Petitioner

Vs

The Joint Commissioner I
Workmen Compensation,
D.M.S.Buillidng, 2nd Floor,
Teynampet,
Chennai - 600 006.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the respondent in A3/1376/2021 dated 02.11.2021 and quash the same, consequentially direct the respondent to transfer the compensation to their respective account.

For Petitioner : Mr.J.Franklin

O R D E R

This writ petition has been filed to issue a Writ of Certiorarified Mandamus to call for the records of the respondent in A3/1376/2021 dated 02.11.2021 and quash the same, consequentially direct the respondent to transfer the compensation to their respective account.

2. The case of the petitioner herein is that his son one V.Upendra, suffered injuries during the course of the employment and died on 19.04.2013. Against his employer one Eshwarnath Constructions, a compensation petition was filed in E.C.No. 38 of 2018 before the respondent. According to the petitioner, the employer of his son being directed to deposit towards compensation, had deposited the amount with the respondent.

3. The petitioner appeared to have filed payment out application which was pending with the respondent. A writ petition was filed in W.P.No.23177 of 2021 against the inaction



on the part of the respondent in not ordering payment out application and according to the petitioner, the writ petition came up for admission and notice was ordered to the respondent returnable by 22.11.2021. When the writ petition was already filed towards payment out application, the question of filing one more writ petition by the petitioner herein is gross abuse of process of the Court.

4. Even otherwise, this Court is unable to appreciate what is the necessity for filing the writ petition, when the communication which is sought to be set aside is an administrative communication which does not really deprive the compensation amount payable to the petitioner. This Court, in fact, is unable to comprehend as to what exactly the grievance of the petitioner and what is the actual and legal basis for filing the present writ petition.

5. As a whole, this Court does not find any cause of action for the petitioner to file this writ petition and therefore, the writ petition is liable to be dismissed.

6. Accordingly, the Writ Petition stands dismissed. No costs. consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

vsi

To

The Joint Commissioner I
Workmen Compensation,
D.M.S.Buillidng, 2nd Floor,
Teynampet, Chennai - 600 006.

+1cc to the Government Pleader, S.R.No.63456

W.P.No.25559 of 2021

GJ[co]
NSK 14/12/2021