



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.12.2021

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

C.M.A. (MD) No.1221 of 2009

and

M.P. (MD) No.1 of 2009

Managing Parter
M/s.J.V.S.Export
Pasupathipalayam P.O.,
Karur Disitric.

... Appellant/1st Respondent

-vs-

1. P.Nallusamy
2. S.Chinnasamy Mudhaliar
3. M/s.Hamosons Exports Pvt. Ltd.,
I.I.M.Centre 1st Floor
15-A, Nungambakkam High Road
Chennai-600 034
4. The Branch Manager
Oriental Insurance Company Ltd.,
P.L.A.Buildings
12-A, Kovai Road,
Karur-02.

... Respondents/Petitioner/
Respondents 2 to 4.

PRAYER: Civil Miscellaneous Appeal is filed under Section 30 of the Workmen's Compensation Act, 1923, to set aside the order of the Workmen's Compensation Authority, dated 29.05.2009 in W.C.No.129 of 2005.

For Appellant : Mr.K.Saravanan

For Respondents : R1 - Dismissed
vide Court order dated 14.02.2012

R2 - Dismissed
vide Court order dated 21.06.2017

No appearance for R3 & R4



J U D G M E N T

Since batta has not been paid against the main contesting respondents, namely, respondents 1 and 2 and pursuant to the orders dated 14.02.2012 and 21.06.2017, this appeal as against them stood automatically dismissed without further reference to the Court and almost, a decade has gone by, this Court is not inclined to accept the contention of the appellant that he must be permitted to file fresh batta and restore the civil miscellaneous appeal on file. Accordingly, the civil miscellaneous appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

krk

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the Judgment may be utilized for official purposes, but, ensuring that the copy of the Judgment that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To:

- 1.The Deputy Commissioner of Labour,
Workman's Compensation Authority,
Dindigul.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

C.M.A. (MD) No.1221 of 2009

and

M.P. (MD) No.1 of 2009

17.12.2021

USK (30.12.2021) 2P 4C