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C.R.P.(PD) No.884 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

CORAM

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

C.R.P.(PD).No.884 of 2022

1. Nirmala Maura
 2. Selvi Niharika Maura (Minor)
 3. Selvan Piyush Marura (Minor)
- Minor Petrs 2 & 3 rep. by
M & N.F.Nirmala Maura.

... Petitioners

..Vs..

1. M/s.T.P.S. Builders,
'A' Block, IV Floor, Ambica Complex,
No.32, Arcot Road, Kodambakkam,
Chennai 600 024.
Now at No.51, Ramakrishna Madam Salai,
Mylapore, Chennai 600 004.
2. United India Insurance Co. Ltd.,
No.24, Whites Road, Chennai 600 014.

3. Kalavathi Devi @ Kamalavathi
4. Ram Sarikh @ Sarikh Maura

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the order passed by the Joint Commissioner for Employee's Compensation-I, Chennai-6 dated 09.11.2021 (served on 02.12.2022) in I.A.No.3 of 2020 and praying to set aside the same.



For Petitioners : Mr.A.Shanmugaraj
For Respondents : Mr.R.Elango (R2)
Sr.Advocate
Assisted by W.R.Subhasini

ORDER

This Civil Revision Petition has been preferred challenging the order of the Joint Commissioner for Employee's Compensation-I, Chennai dated 09.11.2021 (served on 02.12.2022) made in I.A.No.3 of 2020.

2. Heard the learned counsel for the Petitioners as well as learned counsel appearing for the Second Respondent. Notice with respect to R3 and R4 dispensed with, since they remained exparte during impugned proceedings.

3. The Petitioners are the claimants. They have filed I.A.No.3 of 2020 to condone the delay of 2530 days in filing the Claim Petition for compensation for the death of 1st Petitioner's husband, who was working as a casual labourer under the 1st Respondent. As the delay was huge, the learned Joint Commissioner has not condoned the delay and dismissed the Interlocutory Application, vide, order dated 09.11.2021. Aggrieved over the same, the petitioners have filed this revision petition.



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4. The fact of the employment of the deceased was not disputed and his death during the employment was also not denied.

5. In such context of the matter, I feel that interest of justice would be served if a direction is given to the Joint Commissioner for Employees Compensation -I for speedy disposal of the Claim Petition itself, by condoning the delay.

6. In the result, this Civil Revision Petition is allowed and the order of the Joint Commissioner for Employee's Compensation-I, Chennai, dated 09.11.2021 made in I.A.No.3 of 2020 is set aside. The learned Joint Commissioner for Employee's Compensation-I, Chennai, is directed to dispose of the Claim Petition itself, filed by the Petitioners, as expeditiously as possible. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

07.06.2022

Index : Yes/No
Speaking Order : Yes / No
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R.N.MANJULA, J.,

arr

To

1. United India Insurance Co. Ltd.,
No.24, Whites Road, Chennai 600 014.
2. The Joint Commissioner for Employee's Compensation-I,
Chennai-6.
3. The Section Officer,
VR Section, Madras High Court,
Chennai.

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