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C.M.A.No.2444 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

C.M.A.No.2444 of 2014

R.Balaji

... Appellant

vs.

1.The General Manager,
Integral Coach Factory,
Chennai.

2. Dr.Hariprasada Rao

3. Dr.Renuka Sridharan

[RR2&3 names deleted vide Court order

dated 26.02.2020 made in C.M.A.No.2444 of 2014 (RSKJ)]

... Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to call for the records pertaining to the award dated 26.09.2011 passed to the Deputy Commissioner Labour - 1, Chennai in W.C.No.338 of 2003 and modify the same by enhancing the awarded compensation.

For Appellant : Mr.T.K.S.Gandhi

For Respondent : Mr.M.Vijay Anand



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JUDGMENT

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Not satisfied with the award dated 26.09.2011 passed to the Deputy Commissioner of Labour - 1, Chennai in W.C.No.338 of 2003, the workman has filed this Civil Miscellaneous Appeal, for enhancement of the award.

2. Heard the learned counsel for the appellant/workman and the learned counsel appearing for the 1st respondent/ICF, Chennai.

3. A perusal of the materials available on record and the award of the Deputy Commissioner Labour - 1, Chennai, reveals that as per Ex.R12 i.e., the statement of Pay and Allowance of the workman before and after the accident, the workman was drawing a sum of Rs.4407/- as monthly salary at the time of the accident and accordingly, the Deputy Commissioner of Labour-I, Chennai, held that the workman's monthly salary was Rs.4407/- and has redetermined the wages as per the Workman's Compensation (Amendment) Act 220/84 dated 12.05.1984 and arrived the income at Rs.1,000/-.

4. In view of the above, this Court does not find any illegality or



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irregularity in the award passed by the Deputy Commissioner of Labour-I and accordingly, the award dated 26.09.2011 passed to the Deputy Commissioner of Labour - 1, Chennai in W.C.No.338 of 2003, is confirmed. The Civil Miscellaneous Appeal is dismissed. No Costs.

13.12.2022

Index : Yes / No
Speaking Order : Yes / No
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To

1. The Deputy Commissioner Labour - 1, Chennai
2. The Section Officer,
V.R.Section,
High Court of Madras,
Chennai.



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RMT.TEEKAA RAMAN, J.,

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