



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.1182 of 2014

S.Kumara Swamy

... Petitioner

Vs.

Labour Officer,
Social Welfare Scheme,
Thiruvarur,
Thiruvarur District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for all records relating to the impugned order of the respondent made in Na.Ka.No.75/2012 and quash the same thereby directing the respondent herein to pay the insurance amount of Rs.1,00,000/- to the petitioner together with the interest as per Tamil Nadu Physical Labour Social Welfare Board Scheme.

For Petitioner : Mr.B.Madeswaran
For M/s.Star Associates

For Respondent : Mr.S.Prabhakaran
Government Advocate

ORDER

The order, dated 19.03.2012, passed by the respondent Labour Officer, returning the application submitted by the writ petitioner under Social Welfare Scheme, is under challenge in the present writ petition.

2.The writ petitioner states that his wife Mrs.K.Deivanayaki was a member of Tamil Nadu Physical Labour and Social Welfare Department and therefore, she is eligible to avail the benefits of the Scheme. The petitioner states that his wife Mrs.K.Deivanayaki, while crossing the road on 13.11.2010, met with an accident and she was admitted in Thiruvarur Medical College Hospital and subsequently died on 18.11.2010. A criminal case was registered in Crime No.471 of 2010. The petitioner submitted an application for compensation before the respondent / Labour Officer. The



application was scrutinised and the respondent found that the applicant did not fulfill the requisite conditions for grant of compensation under the Special Scheme, however, the petitioner may be eligible to get compensation under Motor Vehicles Act, 1988 or any other welfare schemes.

3.As far as the impugned order is concerned, the application to avail the benefit under the Social Welfare Scheme was returned and thus, the petitioner is at liberty to approach the competent authorities for availing the benefit of compensation, for which he is eligible under other Schemes or under the Motor Vehicles Act, 1988, as the case may be.

4.With these observations, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Jeni/Mkn

To

The Labour Officer,
Social Welfare Scheme,
Thiruvarur,
Thiruvarur District.

+1cc to M/s.Star Associates, SR. No. 33664

W.P.No.1182 of 2014

NRL (CO)
PR (17/06/2022)