



WEB COPY



W.P. No.32462 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P. No.32462 of 2022

A. Stephen Raj

... Petitioner

Vs.

1. The Commissioner of Labour,
D.M.S. Complex,
Teynampet,
Chennai – 600 006.

2. The Joint Commissioner of Labour – II,
D.M.S. Complex,
Teynampet,
Chennai – 600 006.

3. Ashok Leyland Limited (Foundry Division),
Represented by its Divisional Manager – HR,
Ennore Unit,
Kathivakkam High Road,
Ennore,
Chennai – 600 057.

4. The New India Assurance Company Limited,
Chennai Regional Office,
Represented by its Deputy Manager,
No.770-A, Dewa Towers, III Floor,
Anna Salai,
Chennai – 600 002.

... Respondents



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Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to pass orders in E.C. No.B1/4808 of 2020.

For petitioner : Mr.A. Umapathy
For respondents : Mr.G. Nanmaran,
Spl. Government Pleader for R1 & R2
Mr.Anand Gopal
for M/s.T.S. Gopalan & Co. for R3

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Mr.G. Nanmaran, learned Special Government Pleader accepts notice for the 1st and 2nd respondents and Mr.Anand Gopal, learned counsel accepts notice for the 3rd respondent.

3. The grievance of the petitioner is that even though an application was filed by the petitioner on 07.10.2020 before the 2nd respondent under the Employee's Compensation Act, 1923 for the injuries sustained by him during the course of his employment with the 3rd respondent, till date, no final orders have been passed by the 2nd respondent. According to the petitioner as per the provisions of the Employee's Compensation Act, 1923, any application will have to be disposed of, within a period of three months. The petitioner also contends that the insurance company has also determined the



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compensation payable to the petitioner by their letter dated 05.10.2021, which is also enclosed along with this writ petition.

4. The petitioner seeks for a direction to the 2nd respondent for passing final orders on his compensation claim, within a short time.

5. No prejudice would be caused to the 2nd respondent, if such a direction is issued by this Court.

6. For the foregoing reasons, this Court directs the 2nd respondent to pass final orders on merits and in accordance with law on the petitioner's application, dated 07.10.2020 in E.C. No.B1/4808 of 2020, within a period of four weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petition is disposed of.
No costs.

02.12.2022

Index: Yes/No

Internet: Yes/No

Speaking Order/Non-Speaking Order

vsi2



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ABDUL QUDDHOSE, J.

vsi2

To :

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Chennai – 600 006.

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