



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

C.R.P (PD) (MD) .No. 872 of 2022

and CMP(MD)No.3468 of 2022

R.Deivendran

... Petitioner

Vs

1.R.Paraman

2.Santhi

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India to set aside the order passed in (unnumbered I.A.No. Of 2021 in W.C.No.44 of 2016, on the file of the Commissioner of Workmen Compensation/Joint Commissioner of Labour Dindigul) Na,Ka.No.A3/4962/2021 dated 24.01.2022 and direct the Court below to dispose the I.A. on merits.

For Petitioner : Mr.C.Jeganathan

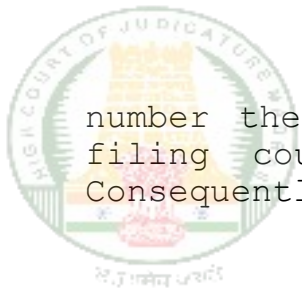
ORDER

This Civil Revision Petition has been filed by the revision petitioner to set aside the order passed in (unnumbered I.A.No. Of 2021 in W.C.No.44 of 2016, on the file of the Commissioner of Workmen Compensation/Joint Commissioner of Labour Dindigul) Na,Ka.No.A3/4962/2021, dated 24.01.2022 and direct the Court below to dispose the I.A. on merits.

2.Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3.The petitioner filed this Unnumbered I.A.No. of 2021 to condone the delay of 1470 days in filing exparte set aside petition and the same was not numbered and rejected on 21.01.2022. Without ascertaining the reason stated by the petitioner are genuine or not, the Court below had simply rejected the said petition. Therefore, the order passed by the Court below is liable to be set aside.

4.Accordingly, this Civil Revision Petition is allowed and the order passed in (unnumbered I.A.No. Of 2021 in W.C.No.44 of 2016, on the file of the Commissioner of Workmen Compensation/Joint Commissioner of Labour, Dindigul) in Na.Ka.No.A3/4962/2021, dated 24.01.2022, is hereby set aside. The trial Court is directed to



number the said petition and serve notice to the other side, for filing counter and decide the matter on merits. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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/ /2022

Sub Assistant Registrar(CS)

PNM

To

1.The Commissioner of Workmen Compensation/
The Joint Commissioner of Labour, Dindigul.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C. JEGENATHAN, Advocate (SR-19646[F] dated 20/04/2022)

C.R.P (PD) (MD) .No. 872 of 2022
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18.04.2022

TP (CO)

KB (26.04.2022) 2P 4C