



WEB COPY

Tr.C.M.P.No.418 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.418 of 2022

and

C.M.P.No.7819 of 2022

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Petitioner

vs

1. Kalavathi

2. Kumanan

3. Executive Engineer, Thatkpprlptta
(G.H. Opposite) Villupuram.

4. Executive Engineer
Tamil Nadu Electricity Board
Sankarapuram.

..

Respondents

Prayer: Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the case in I.A.No.12 of 2021 in unnumbered E.C.No. Of 2021 on the file of Hon'ble Deputy Commissioner of Labour-II Chennai camp at Cuddalore and transfer the same to Hon'ble Deputy Commissioner of Labour Villupuram.

For Petitioner : Mr.V.Sundarraman

For Respondents : Mr.R.R.Pradheep
for respondents 1 and 2

No Appearance
for respondent 3



ORDER

The transfer petition is filed to withdraw the case in I.A.No.12 of 2021 in unnumbered E.C.No. of 2021 pending on the file of Deputy Commissioner of Labour-II Chennai camp at Cuddalore and transfer the same to Deputy Commissioner of Labour Villupuram.

2. The petitioner is a contractor and the son of the first respondent is the victim, who died on account of electrocution while working under the petitioner. The learned counsel for the petitioner states that the respondent / victim is residing at Vilupuram and received the notice sent to the address at Villupuram. More so, the particular employee is also at Villupuram and therefore, the petition filed before the Deputy Commissioner of Labour II, Chennai camp at Cuddalore is inappropriate and therefore, it is to be transferred.

3. Learned counsel for the petitioner furnished a copy of the acknowledgement sent to the respondent / victim to establish that they were residing at Villupuram. Learned counsel appearing on behalf of the first and second respondents is also not disputing the fact that the respondent is permanently residing at Villupuram, however, admittedly, now working at



Cuddalore.

Tr.C.M.P.No.418 of 2



4. This being the factum, this Court is inclined to consider the petition.

Accordingly, I.A.No.12 of 2021 in unnumbered E.C.No. of 2021 pending on the file of the Deputy Commissioner of Labour-II at Chennai camp at Cuddalore stands transferred to the Deputy Commissioner of Labour, Villupuram.

5. Considering the fact that the victim has to get just compensation without causing any undue delay, the Deputy Commissioner of Labour at Villupuram is directed to adjudicate the issues and dispose of the petition within a period of six months from the date of receipt of a copy of this order.

6. The Deputy Commissioner of Labour-II, Chennai camp at Cuddalore is directed to transmit all the case papers within a period of two weeks from the date of receipt of a copy of this order.

7. With these directions, the transfer petition is allowed. Consequently, the connected miscellaneous petition is closed. There will be no order as to



costs.

Tr.C.M.P.No.418 of 2



Index : Yes / No

23.01.2023

Speaking order / Non-speaking order

Neutral Citation: Yes/No

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To

1. The Deputy Commissioner of Labour-II Chennai Camp Cuddalore.
2. The Deputy Commissioner of Labour, Villupuram.



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Tr.C.M.P.No.418 of 2



S.M.SUBRAMANIAM, J.

(drm)

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