



C.M.A.No.2671 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 20.12.2023

CORAM

MR.JUSTICE N.SESHASAYEE

C.M.A.No.2671 of 2022
and C.M.P.No.20922 of 2022

The Management,
MRF Limited,
Thiruvottiyur High Road,
Chennai-600 019.

... Appellant

Vs

1.D.Nathiya
2.Minor D.Jyotshna
3.Minor D.Kavyashri
4.Bakthavachalam
5.B.Kasturi

... Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 30 of the Employees' Compensation Act, 1923, seeking to set aside the order dated 07.06.2022 passed by the Deputy Commissioner of Labour-1, Chennai in E.C.No.205 of 2015.



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For Appellant : Mr.M.Vijayan
for King and Partridge

For Respondents : Mr.K.Krishnamoorthy for R1 to R3

JUDGEMENT

The employer of a victim of an accident has approached this Court with this appeal contending that its employee has not died in the course of employment.

The short facts are on 12.12.2014, while a certain Dhananjayan, an employee of the appellant, met with an accident on his way home after his shift, some 25 Kms away from his workplace. The dependants of the deceased had moved the Deputy Commissioner of Labour -1, Chennai under the Employees' Compensation Act, 1923 (hereinafter referred to as 'the Act' in short), and the Tribunal had awarded Rs.8,11,640/- with interest at 12% from the date of the accident. As indicated earlier, this is under challenge.

2. When the matter came up before this Court on an earlier occasion, this Court requested the appellant to consider the case of one of its employees who lost his life for at least *ex gratia* payment, without standing on the merit of its



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contentions. Today, the learned counsel for the appellant, on instruction, submitted that while the appellant does not concede its liability under the Act, yet it chooses to offer the amount awarded by the Commissioner with all necessary interest as an *ex gratia* payment to the family of its former employee. The learned counsel also added that the appellant herein has already deposited Rs.15,00,000/- before the Commissioner under the Act.

3.This Court records its appreciation for the gesture of the employer. In view of this development, nothing survives for consideration in this appeal.

4.Accordingly, this Civil Miscellaneous Appeal stands closed. No Costs. Consequently, the connected miscellaneous petition is closed.

20.12.2023

(1/2)

Index : Yes/No
Speaking order/non-speaking order
Anu

Note to office: Issue judgement copy on 20.12.2023



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N.SESHASAYEE, J.

Anu

To

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

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