



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Thirteenth day of April Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.2648 of 2023
in
CMA(MD)No. 159 OF 2023

V.R.JAYAKUMAR,

... PETITIONER/APPELLANT

Vs

1 G.RAVIRAMAR,

2 R.LATHA,

3 THE EXECUTIVE ENGINEER,
TAMIL NADU ELECTRICITY BOARD (RURAL),
SAMAYANALLUR,
MADURAI DISTRICT 625 402.

...RESPONDENTS 1 TO 3/RESPONDENTS

4 SAKTHIVEL,

... 4th RESPONDENT/PROPOSED RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to implead the 4th Respondent/proposed Respondent as 4th Respondent in the above Civil Miscellaneous Appeal in C.M.A.(MD). No. 159 of 2023.

Prayer in CMA(MD). 159/ 2023 :

Civil Miscellaneous Appeal filed under section 30 of Workmens Compensation Act to set aside the award cum Judgment dated 29.12.2022 passed in E.C. No. 62 of 2020 on the file of the Deputy Commissioner of Labour, Workmens Compensation, Madurai against the Appellant and allow the appeal.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.KANNAN, Advocate for the petitioner and of MR.B.TAMIL SELVAM, Advocate for the Respondents 1 & 2 and of MR.R.BALAKRISHNAN, Advocate on behalf of the 4th Respondent, the court made the following order:-



This Petition is filed to implead the fourth respondent as fourth respondent in the above Civil Miscellaneous Appeal.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. The reasons stated in the accompanying affidavit is that the petitioner has engaged the fourth respondent as a Contractor to construct his house, as per the agreement entered between them and one of the labours engaged by the fourth respondent died due to electric shock. However, the Commissioner for workmen compensation directed the Petitioner to pay compensation for the death of the said person on the application filed by the parents. Therefore, it is necessary to implead the fourth respondent as party in the present appeal.

4. The learned counsel for the fourth respondent has no serious objection in allowing this impleading application.

5. In such view of the matter, the impleading application is allowed. Registry is directed to carry out necessary amendment in the cause title. Post the main appeal for final hearing on 15.6.2023.

6. Further, there shall be an order of interim stay on condition that the Petitioner deposits 50% of the award amount to the credit of E.C.No.62 of 2020, on the file of the Deputy Commissioner of Labour, Workmen Compensation Commissioner, Madurai on or before 15.06.2023, failing which, interim stay granted shall stand automatically vacated without further reference to this Court.

7. Post the matter on 15.6.2023 for further hearing.

sd/-

13/04/2023

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/04/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSN

TO

THE DEPUTY COMMISSIONER FOR LABOUR,
WORKMENS COMPENSATION, MADURAI.

+1. CC to MR.V.KANNAN Advocate SR.No.5872(I)

ORDER

IN

CMP(MD) No.2648 of 2023
in

CMA(MD) No. 159 OF 2023

Date :13/04/2023