



C.R.P(MD)No.921 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.08.2023**

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THE HON'BLE MR.JUSTICE C.KUMARAPPAN

C.R.P(MD)No.921 of 2019

and

C.M.P(MD)No.5303 of 2019

The Correspondent,
St.John of Arc School,
Athavathur,
Srirangam Taluk,
Trichy District.

... Petitioner/Petitioner/
1st Respondent

Vs.

1.Backiyalakshmi

...1st Respondent/
1st Respondent/Petitioner

2.S.Ramu

...2nd Respondent/
2nd Respondent/
2nd Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order dated 10.12.2018 passed in I.A.No.167 of 2017 in W.C.No.86 of 2016 on the file of the Workman Compensation Commissioner and Labour Deputy Commissioner Tribunal, Trichy District.



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For Petitioner : Mr.V.Illanchezian

For Respondent : No Appearance

ORDER

This civil revision petition has been filed against the order passed by the Workman Compensation Commissioner and Labour Deputy Commissioner Tribunal, Trichy District in I.A.No.167 of 2017 in W.C.No.86 of 2016, dated 10.12.2018.

2. The petitioner herein is the petitioner/first respondent, the first respondent herein is the first respondent/petitioner, and the second respondent herein is the second respondent/second respondent before the Court below.

3. For the sake of convenience, the parties will be referred as per the litigative status before the Trial Court.

4. Despite the name of the respondents being printed in the cause list, there is no representation on behalf of the respondents.



5. The first respondent, who is the petitioner has given a notice to the second respondent to produce the originals of deeds of confirmation, dated 03.12.2015 and 27.11.2015, for which the respondents have filed a counter statement stating that those documents are not available with them.

6. The learned counsel for the petitioner invited the attention of this Court in respect of the type set of papers, wherein, they have filed xerox copies of the certain deeds of undertakings. Based on these deed of undertakings, the learned counsel for the petitioner submits that these documents were executed in favour of the second respondent and that the originals are available with him. If those documents are filed, it would be very much useful for the Court below to decide the issue under whom the petitioner was working.

7. On seeing the counter statement, it emerges that, the second respondent has denied the existence of such documents. Only in that background, the Court below has dismissed the application with the finding that they cannot direct them, who disown the possession of the documents.



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8. Therefore, this Court could not find any infirmity/perversity in the findings arrived at the Court below. Therefore, this Court is not inclined to interfere with the order of the Court below.

9. In the result, this civil revision petition stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

09.08.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1.The Workman Compensation Commissioner
and Labour Deputy Commissioner Tribunal,
Trichy District.

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



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C.KUMARAPPAN,J.

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