



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.06.2023**

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THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)No.1502 of 2021

and

C.M.P.(MD)No.8281 of 2021

The Manager,
Royal Sundaram General Insurance
Company Ltd.,
No.8/H-1, Mangalam Building,
Omalur Main Road, Salem.

...Petitioner

Vs.

1.S.Saraswathi
2.Naveen Rajan

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records relating to the impugned order dated 19.12.2019 made in I.A.No.79 of 2018 in E.C.No.7 of 2020 on the file of the Deputy Commissioner of Labour (Commissioner of Employee Compensation), Dindigul, set aside the same.

For Petitioner	: Mr.S.Srinivasa Raghavan
For 1 st Respondent	: Mr.N.Sudhagar Nagaraj

ORDER

This Civil Revision Petition has been filed by the petitioner to set aside the order passed in I.A.No.79 of 2018 in E.C.No.7 of 2020 dated 19.12.2019, on the file of the Deputy Commissioner of Labour (Commissioner of Employee Compensation), Dindigul.



2.The petitioner have challenged with the impugned order dated 19.12.2019, passed by the Deputy Commissioner of Labour (Commissioner of Employee Compensation), Dindigul, in I.A.No.79 of 2018 in E.C.No.7 of 2020 condoning the delay of 2549 days in filing the claim petition under Employees Compensation Act (formerly Workmen Compensation Act), 1923.

3.The respondent appears to be the legal heirs of one deceased Santhana Krishnan @ Alex Sekar, who is reportedly working with the first respondent company as a cleaner in E.C.No.7 of 2020. They have claimed compensation of Rs. 10,00,000/- under the provision of aforesaid Act. Although the application has been filed belatedly, the delay has been condoned, considering the difficulties experiencing by the first respondent/claimant.

4.While condoning the delay, the Deputy Commissioner of Labour (Commissioner of Employee Compensation), Dindigul, has clearly stated that the first respondent/claimant will not be entitled for interest for the period of delay.

5.I do not find any reason to interfere with the impugned order. If the first respondent/claimant otherwise entitled for compensation, compensation has to be paid. Mere delay in filing E.C.No.7 of 2020 cannot a reason to disallow the claim at initial stage on technical ground as first respondent/claimant is an illiterate persons.



6.In view of the above, the civil revision petition stands dismissed. No Costs.

Consequently, connected miscellaneous petition is closed.

23.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Mrn

To

1.The the Deputy Commissioner of Labour,
(Commissioner of Employee Compensation), Dindigul.

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



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C.SARAVANAN,J.

Mrn

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