



C.R.P. No.512 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2024

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P.No.512 of 2022
and CMP.No.2703 of 2022

The Branch Manager,
M/s.Royal Sundaram Alliance
Insurance Co., Ltd,
First Floor, Krishna Plaza,
No.1, Nachiyappa Street,
Bus Stand (Back Side)
Erode Town, Erode District.

... Petitioner/2nd respondent.

1.Mrs.Shanthi

2.Raji

..Respondents 1 and 2

/Petitioners

3.Reka

... Respondent No.3/

/1st respondent.

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India against the order dated 24.05.2021 made in I.A.No.69 of 2021 in E.C.No.437 of 2016, on the file of the learned Commissioner for Employees Compensation, Coonoor.

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For Petitioner	: Mr.G.Vasudevan
For RR1	: Mr.K.A.Mariappan
For RR2 and 3	: No appearance

ORDER

This Civil Revision Petition has been filed to set aside the order made in I.A.No.69 of 2021 in E.C.No.437 of 2016, on the file of the Commissioner for Employees Compensation, Coonoor.

2. The prayer in the I.A, has been allowed in favour of the claimants. The amendment sought for is that to state that claimant has worked as 'Driller cum Driver' instead of 'Driver'. As against the prayer allowed in favour of the claimants in the I.A., the 2nd respondent therein has filed this civil revision petition.

3. The learned counsel for the revision petitioner/2nd respondent would submit that the amendment sought by the claimants was only to get



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over the defence of the 2nd respondent/insurer. Hence, the learned counsel prayed to set aside the impugned order.

4. The learned counsel for the respondents 1 and 2/claimants would state that the learned Judge has relied on the judgment in ***TrilokiNath Vs. BhagwantiBai (2000 LLR 1207 = 2000 (87) FLR 445)*** wherein it was held that *allowing amendments in the claim application is in the discretion of the Commissioner and since in the instant case, the opponents were allowed to raise their defences with regard to these amendments, no prejudice is caused to the parties* and allowed the application which does not require interference of this Court.

5. Heard both sides.

6. Though notice was ordered by this court to claimants and employer viz., respondents in this civil revision petition and interim stay was granted at the time of admission on 24.02.2022, and extended upto 13.10.2022. Thereafter, it was not extended. As rightly stated by the respondent, the



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learned Judge had given liberty to the petitioner/2nd respondent-insurer to raise his objections while the main E.C., is taken up for hearing and therefore, the interference of this Court is not necessary and hence, this Civil Revision Petition is dismissed. Since E.C.No.437/2016 has been pending from 2016 onwards, the learned Judge is directed to dispose of the E.C.No.437/2016, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petition is closed.

14.03.2024

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To
The Commissioner for Employees Compensation,
Coonoor.

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