



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-02-2024

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

And

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

WA No.2854 of 2021

And

CMP No.19005 of 2021

Pipare Tubus Fabricare Unit-2,
Represented by its Proprietor,
A.B.Choudry and Anamika Choudry,
DP-40, SIDCO Industries,
Kakalur,
Thiruvallur-602 003.

.. Appellant

-VS-

1.Mrs.T.Geetha

2.The District Collector,
Office of the Thiruvallur District Collector,
Collectorate Building,
Thiruvallur-602 001.

3.The Joint Commissioner of Labour II,
DMS Campus,
Teynampet,
Chennai-600 006.



4. The Revenue Divisional Officer,
Thiruvallur Division,
Thiruvallur Taluk,
Thiruvallur District.

5. The Tahsildar,
Thiruvallur Taluk Office,
Thiruvallur District.

.. Respondents

Writ Appeal is preferred under Clause 15 of Letters Patent against the order passed by this Court in WP No.10240 of 2021 dated 01.07.2021.

For Appellant	:	Mr.P.Sivamani
For Respondent-1	:	Mr.M.Vijayan
For Respondents-2 to 5	:	Ms.P.Raja Rajeswari, Government Advocate.

ORDER

[ORDER OF THE COURT WAS MADE

BY S.M.SUBRAMANIAM, J.]

The present writ appeal has been instituted against the order dated 01.07.2021 passed in WP No.10240 of 2021.

2. An ex parte award was passed in favour of the workman.



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3. Mr.P.Sivamani, learned counsel for the appellant would contend that a petition to set aside the ex parte award was filed.

4. It is brought to the notice of this Court by the learned Government Advocate, appearing on behalf of the respondents 2 to 5, that the petition filed by the appellant to set aside the ex parte award was dismissed by the Labour Commissioner. Thus the award became final.

5. It is not in dispute that the appellant had already settled the principal amount and the interest as admissible under the provisions of the Workmen's Compensation Act, is to be settled.

6. The learned counsel for the appellant has furnished the copy of the statement of calculation, which would reveal that the interest due to the first respondent-wife of the deceased employee, is Rs.2,23,475/-. Since the award became final and the appellant has given consent to settle the statutory interest from 12.01.2019 to 26.10.2021 and the learned counsel for the first respondent also agreed to receive the said interest, as calculated by the appellant, no further adjudication needs to be undertaken in respect of



the grounds raised in the present writ appeal.

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7. In view of the consensus arrived between the appellant and the first respondent-wife of the deceased workman, the appellant is directed to settle the interest amount of Rs.2,23,475/- to the first respondent, on or before 26.03.2024.

8. With the above directions, the present writ appeal stands disposed of. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

9. List the matter under the caption 'For Reporting Compliance' on 27.03.2024.

(S.M.SUBRAMANIAM,J.) (K.RAJASEKAR,J.)

27-02-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn



To

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S.M.SUBRAMANIAM, J.
AND
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