



C.M.A(MD)No.213 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.A(MD)No.213 of 2024

and

C.M.P(MD).Nos.10500 of 2023 and 2527 of 2024

Murugesan,
Proprietor of V.S.N.Fruit Shop,
No.137/125, North Marat Street,
Chithambaranaar Road,
Yanaikkal, Madurai – 625 001.

... Appellant

Vs.

1.Parameswari
2.G.Subash

... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 30 of Workmen Compensation Act, to set aside the order dated 09.02.2023 passed by the Learned Deputy Commissioner for Workmen Compensation, Madurai in E.C.No.92 of 2021.

For Appellant : Mr.M.Shakul Hameed

For Respondents : Mr.J.Sankara Pandian

JUDGMENT

The owner of the shop has preferred this Civil Miscellaneous Appeal.

2. The award is passed by the Deputy Commissioner of Labour under the



WEB COPY

Workmen Compensation Act. The contention of the appellant is that the deceased was not an employee. However, the claimants submitted that the owner had engaged the deceased as “Load Man” for unloading the goods and the goods belonged to the owner.

3. After hearing the arguments of both sides for few minutes, this Court directed the parties to settle the issue amicably and granted an adjournment.

4. Today when the case was taken up for hearing the parties submitted that they had settled the issue and had filed a joint compromise memo. The appellant has agreed to pay Rs.7,25,000/- and the claimants have agreed to receive the same. The appellant had already deposited the entire compensation. The claimants shall withdraw Rs.7,25,000/- and the balance amount shall be refunded appellant. Both the appellant and the claimants are entitled to withdraw the accrued interest for their shares, if the amount was deposited in an interest accruing account. The joint compromise memo shall form part and parcel of the judgment and decree.

5. Hence, the Civil Miscellaneous Appeal is disposed of based on the terms



C.M.A(MD)No.213 of 2024

of joint compromise memo. No costs. Consequently, connected miscellaneous petitions are closed.

21.03.2024

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

Tmg

To

- 1.The Deputy Commissioner for Workmen Compensation,
Madurai.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.M.A(MD)No.213 of 2024

S.SRIMATHY, J.

Tmg

C.M.A(MD)No.213 of 2024

21.03.2024