



C.M.A(MD)No.862 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 26.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

C.M.A(MD)No.862 of 2021

and

C.M.P(MD)No.8069 of 2021

The Branch Manager,
M/s. IFFCO - TOKIO General Insurance Company Ltd.,
IFFCO Bhavan,
Habifulla Street,
T.Nagar, Chennai.

... Appellant / Respondent No.2

Vs.

1.Alamelu

... 1st Respondent / Petitioner

2.Dhanabal

... 2nd respondent / 1st respondent

PRAYER :-

This Civil Miscellaneous Appeal is filed under Section 30 of the Employees Compensation Act, 1923, to set aside the award made in E.C.No. 52 of 2019 dated 11.03.2021 on the file of the Deputy Commissioner of Labour, Trichy and to remand back the case for fresh trial by letting in the Appellant's evidence.



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For Appellant : Mr.D.Boopal
For R1 : Mr.M.Arumugam
For R2 : No appearance

JUDGMENT

This Civil Miscellaneous Appeal is filed to set aside the award made in E.C.No.52 of 2019 dated 11.03.2021 on the file of the Deputy Commissioner of Labour, Trichy and to remand back the case for fresh trial by letting in the Appellant's evidence.

2. Learned counsel for the appellant would submit that the matter may be remanded back to the trial Court, so that he can examine the official to prove the policy. For which, the respondent has no objection.

3. In view of above submission, the case in E.C.No.52 of 2019 is remitted back to the trial Court for fresh consideration. Opportunity is granted to both parties to lead additional evidence. The Tribunal is directed to dispose of the same within a period of two months from the date of appearance of the parties.



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4. Accordingly, this Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

26.04.2024

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

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To

- 1.The Deputy Commissioner of Labour, Trichy.
- 2.The Record Keeper, Vernacular Records,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN, J.

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