



C.M.A(MD)No.419 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 25.07.2024

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THE HONOURABLE MRS.JUSTICE G. ILANGO VAN

C.M.A(MD)No.419 of 2024

and

C.M.P(MD)No.5463 of 2024

Branch Manager,
M/s.United India Insurance Co. Ltd.,
Branch Office No.IV,
No.52, South Masi Street,
Madurai - 625 001.

... Appellant / 2nd Respondent

Vs

V.Kuppammal (Died)

1.V.Veeramurugan

2.V.Nandhakumar

... Respondents 1 to 3 / Claimants

3.V.Vijimon

... 4th respondent / 1st Respondent

PRAYER :-

This Civil Miscellaneous Appeal is filed under Section 30(i) of the Workmen's Compensation Act, 1923 to set aside the order dated 17.05.2023 passed in E.C.No.08 of 2015 on the file of the learned Deputy Commissioner of Labour, Madurai.



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For Appellant : Mr.I.Robert Chandrakumar

For Respondent : No appearance

JUDGMENT

This Civil Miscellaneous Appeal is filed to set aside the order dated 17.05.2023 passed in E.C.No.08 of 2015 on the file of the learned Deputy Commissioner of Labour, Madurai.

2. Learned counsel for the appellant would submit that the very same subject matter in M.C.O.P.No.33 of 2016, on the file of the Additional District Judge, Paramakudi was referred to Lok Adalat. In the Lok Adalat, a settlement was reached between the parties and an award was passed dated 22.04.2018 for a sum of Rs.9,75,000/-. The said award amount was also withdrawn by the claimants.

3. It appears that without noticing the above said Lok Adalat award, another award was passed in E.C.No.8 of 2015 learned Deputy Commissioner of Labour, Madurai, stating that both the matters are difference in nature.



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4. But the claimants cannot be doubly benefited for the same occurrence. Even though notice was ordered to the respondents, they remained absent and none appeared on behalf of them.

5. In view of the above submission, the order dated 17.05.2023 passed in E.C.No.08 of 2015 by the learned Deputy Commissioner of Labour, Madurai, is set aside and the appellant is permitted to withdraw the amount deposited by them before the learned Deputy Commissioner of Labour, Madurai, to the credit of E.C.No.08 of 2015.

6. Accordingly, this Civil Miscellaneous Appeal stands allowed. No costs. Consequently, connected miscellaneous petition stands closed.

25.07.2024

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

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G. ILANGO VAN, J

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To

- 1.The Deputy Commissioner of Labour, Madurai.
- 2.The Section Officer, Vernacular Records,
Madurai Bench of Madras High Court, Madurai.

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and
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