



C.R.P.PD(MD)No.104 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

C.R.P.PD(MD).No.104 of 2020

&

C.M.P(MD).No.549 of 2020

The Branch Manager
National Insurance Co. Ltd.,
Sub Collector Office Road
Dindigul

... Petitioner

Vs.

1.Easwari

2.A.Kamatchi

.. Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to call for the records relating to the impugned order dated 20.08.2019 made in I.A.No.40 of 2018 in E.C.No.31 of 2017 on the file of the Deputy Commissioner of Labour for Workmen Compensation, Dindigul, served on 17.09.2019, set aside the same.

For Petitioner : Mr.S.Srinivasa Raghavan

For Respondents : Mr.S.Pugalendhi



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ORDER

The 1st respondent herein filed a claim petition bearing E.C.No.31 of 2017 under the provisions of Workmen Compensation Act before the Deputy Commissioner of Labour, claiming compensation under provisions of the said Act. In the said proceedings, the petitioner herein who is the 2nd respondent therein filed an Interlocutory Application in I.A.No.40 of 2018 seeking to dismiss the claim petition on the ground that the 1st respondent herein is not a workmen and therefore is not entitled to maintain any claim petition under the provisions of the said Act. The said application was dismissed by the learned Deputy Commissioner, by passing an order dated 20.08.2019. Aggrieved by the said order, the petitioner approached this court by filing the present Civil Revision Petition.

2. This Court after having perused the materials on record called upon the counsel for the petitioner to satisfy this court as to how the said Interlocutory Application filed in I.A.No.40 of 2018 is maintainable in E.C.No.31 of 2017. Learned counsel after having verified, fairly submitted that there is no such provision to entertain such an application with the prayer



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as sought for and sought liberty to raise all such pleas that are raised in I.A.No.40 of 2018 to be raised in main E.C.No.31 of 2017 before the Commissioner.

In such view of the same, the Civil Revision Petition is dismissed, granting liberty as sought for. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

22.03.2024.

NCC : Yes/No

Internet : Yes

kpr

To

The Deputy Commissioner of Labour for
Workmen Compensation, Dindigul



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MUMMINENI SUDHEER KUMAR, J.

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