



W.P.No.12985 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.12985 of 2025

Balaiah

... Petitioner

Vs.

1. Deputy Commissioner of Workmen Compensation,
Coonoor, The Nilgiris.

2. Rosemount Tea Factory Pvt. Ltd.,
Rep. by the Managing Director,
Rousdonmullai Road,
Devala, Gudalur Taluk,
The Nilgiris.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to implement the order dated 11.07.2018 in Na.Ka.Aa/2356/2018.

For Petitioner : Mr.J.Franklin

For Respondents : Mr.K.Surendran
Additional Government Pleader [R1]



W.P.No.12985 of 2025

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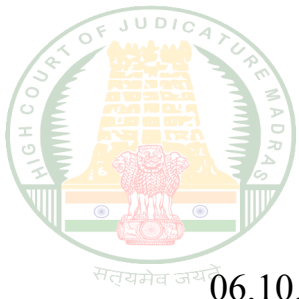
ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Mandamus, to direct the 1st respondent to implement the order dated 11.07.2018 in Na.Ka.Aa/2356/2018.

2. Since no adverse order has been passed against the 2nd respondent, notice to the 2nd respondent is dispensed with.

3. Mr.K.Surendran, learned Additional Government Pleader, accepts notice on behalf of the 1st respondent. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that, he was an employee of the 2nd respondent as machine operator. On 09.12.2004, while operating the machine at 12.30 p.m., he suffered grievous injury and one of his fingers got cut off. Thereafter, he filed a petition before the 1st respondent in W.C.No.22 of 2005 and the 1st respondent passed an order dated

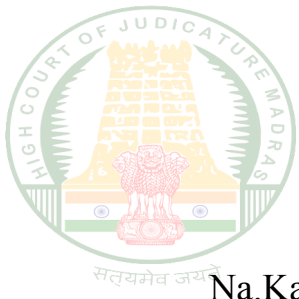


W.P.No.12985 of 2025

WEB COPY

06.10.2009 awarding compensation of Rs.1,15,662/- and directed the 2nd respondent to deposit the same, within a period of 30 days with 12% interest from the date of the accident. Aggreived by the same, the 2nd respondent has filed a writ petition before this Court in W.P.No.1187 of 2013 and writ appeal in W.A.No.1036 of 2013 and both the writ petition as well as the writ appeal got dismissed. However, the 2nd respondent deposited the award amount on 11.11.2012 as ordered by the 1st respondent, without interest. Due to financial condition, the petitioner received the award amount without interest and made several representations and the 1st respondent also sent several notices to the 2nd respondent on 20.04.2018 and 11.07.2018, however, till date, interest for the award amount has not been deposited by the 2nd respondent. Therefore, left with no other alternative, the petitioner has filed this writ petition before this Court.

5. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 1st respondent to implement the order of the 1st respondent dated 11.07.2018 made in



W.P.No.12985 of 2025

WEB COPY

Na.Ka.Aa.2356/2018, within a time frame that may be stipulated by this Court.

6. On the above said contentions, heard the learned Additional Government Pleader appearing for the 1st respondent.

7. Considering the limited request made by the learned counsel for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the 1st respondent to implement the order of the 1st respondent dated 11.07.2018 made in Na.Ka.Aa/2356/2018, within a period of four (4) weeks from the date of receipt of a copy of this order, if there is no legal impediment.

8. Accordingly, this writ petition is disposed of. No costs.

15.04.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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W.P.No.12985 of 2025

WEB COPY To

The Deputy Commissioner of Workmen Compensation,
Coonoor, The Nilgiris.



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W.P.No.12985 of 2025

M.DHANDAPANI, J.

sp

W.P.No.12985 of 2025

15.04.2025