



WEB COPY



W.P.No.15491 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15491 of 2025

And

W.M.P.No.17503 of 2025

Nitin Lloyd

... Petitioner

Vs.

1.E.Saravanan

2.The New India Assurance Co., Ltd.,
No.232, NSC Bose Road,
Chennai – 600 001.

3.Joint Commissioner of Labour – I,
O/o. Joint Commissioner,
Teynampet,
Chennai – 600 006.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the order passed in I.A.No.45 of 2024 in W.C.No.28 of 2017 dated 31.12.2024 on the file of the third respondent and quash the same.

For Petitioner : Mr.T.Dhanasekaran
For Respondents : Mr.K.Surendran for R3
Additional Government Pleader



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ORDER

Mr.K.Surendran, learned Additional Government Pleader takes notice on behalf of the third respondent. Since this Court is not inclined to pass any adverse order as against the respondents 1 and 2, notice to the respondents 1 and 2 is dispensed with.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records pertaining to the order passed in I.A.No.45 of 2024 in W.C.No.28 of 2017 dated 31.12.2024 on the file of the third respondent and quash the same.

3.The learned counsel appearing for the petitioner submitted that the first respondent drove the vehicle insured with the second respondent and met with an accident and he filed W.C.No.28 of 2017 before the third respondent alleging that he was working under the petitioner and for the non appearance of the first respondent, the said workman compensation was dismissed for default on 23.04.2024 and thereafter the first respondent filed I.A.No.45 of 2024 seeking to restore W.C.No.28 of 2017 and the said interlocutory application was allowed. The learned counsel further submitted that though the delay



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was not properly explained, the interlocutory application filed by the first respondent was allowed, which is not sustainable one.

4.W.C.No.28 of 2017 was dismissed for default for the non appearance of the first respondent and the impugned order reveals that the third respondent, inorder to give a chance to the first respondent to put forth his case, has allowed the interlocutory application filed by the first respondent, which warrants no interference.

5.The writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

29.04.2025

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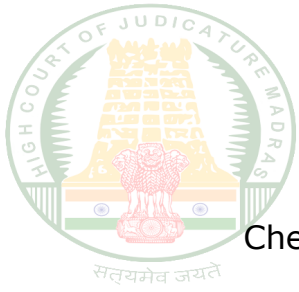
Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

1.The New India Assurance Co., Ltd.,
No.232, NSC Bose Road,
Chennai – 600 001.

2.Joint Commissioner of Labour – I,
O/o. Joint Commissioner,
Teynampet,

3/4



Chennai – 600 006.

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M.DHANDAPANI,J.
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