



W.P.(MD) No.4528 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.4528 of 2025

K.Palaneeswari

... Petitioner

-VS-

- 1.Commissioner for Employees'
Compensation and
Joint Commissioner of Labour
Dindigul
- 2.Commissioner for Employees'
and Industrial Tribunal
Alappuzha, Kerala State
- 3.The Managing Director
Dineshchandra R.Agrawal
Infracon Pvt., Ltd.,
Engineers & Contractors
401 - The Grand Mall
Opp.State Bank Zonal Office
S.M.Road, Ambawadi
Ahmedabad-380 015
Gujarat - India
Local Office
Building No.41/1077 & 1078
Kochappilly - Appachan Road
Padivattom, Edappally
Kochi-682 024, Kerala State



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4.TATA AIG General
Insurance Company
Kerala Head Quarters
Kerala State

5.Kumaresan

6.Divya

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the first respondent to number the Employees' Compensation claim application filed by the petitioner in Form-F, under Rule 20 of the Employees' Compensation Act, dated 06.01.2024, and further direct the first respondent to initiate hearing and pass suitable orders as per the material evidence placed before him by affording opportunities to the petitioner and to pass suitable orders within the time stipulated by this Court.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.A.Baskaran
Additional Government Pleader for R1



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ORDER

This writ petition has been filed by the petitioner seeking a mandamus directing the first respondent to number the claim application filed by him on 06.01.2024 claiming compensation in Form-F under Rule 20 of the Workmen's Compensation Act, 1923 and to initiate adjudication process.

2. This matter earlier came up for consideration before this Court on 20.02.2025 and the same was adjourned to today to enable the learned Additional Government Pleader appearing for the first respondent to get instructions in this matter as to why the claim application filed by the petitioner is not taken on file.

3. Today, when the matter is taken up for consideration, Mr.A.Baskaran, learned Additional Government Pleader, appearing for the first respondent, submitted that the claim application filed by the petitioner was taken on file and accordingly, the condone delay application was numbered as I.A.No.2 of 2025 on 17.02.2025.



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4. From the above, it is evident that the application, that was filed by the petitioner on 06.01.2024, was taken on file only after a lapse of a year i.e., on 17.02.2025, which is abnormal. Hence, considering the fact that there was a delay of almost a year for taking the condone delay application on file, the first respondent is directed to expedite the adjudication process in the claim application filed by the petitioner and dispose of the same as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this Court.

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

26.02.2025

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

krk

To:
The Commissioner for Employees'
Compensation and
Joint Commissioner of Labour,
Dindigul.



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MUMMINENI SUDHEER KUMAR, J.

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