



W.P.(MD)No.5813 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2025

CORAM:

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).Nos.5813 and 15932 of 2025

and

W.M.P(MD)Nos.4235, 12058 and 12059 of 2025

W.P.(MD)No.5813 of 2025:

M.Karthick

... Petitioner

Vs.

1. The Joint Commissioner of Labour,
Commissioner under Employee's Compensation Act,
Barathi Ula Street,
K.Pudur,
Madurai – 625 002.

2. P.Pradeep.

3. A.Ganesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of 1st respondent in E.C.No.114 of 2023 and quash the order dated 20.11.2024.

For Petitioner

: Mr.T.Ravichandran

For R1

: M/s.D.Farjana Ghoushia
Special Government Pleader

For R2

: Mr.J.Gunaseela Muthiah

For R3

: Mr.A.Sankararama Subramanian



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W.P.(MD)No.15932 of 2025:

A.Ganesan

... Petitioner

Vs.

1. The Joint Commissioner of Labour,
Commissioner under Employee's Compensation Act,
Barathi Ula Street,
K.Pudur,
Madurai – 625 002.

2. P.Pradeep.

3. M.Karthick

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to impugned order dated 20.11.2024 in E.C.No.114 of 2023 was passed by the 1st respondent and quash the same.

For Petitioner : Mr.A.Sankararama Subramanian

For R1 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

For R2 : Mr.J.Gunaseela Muthiah

For R3 : Mr.T.Ravichandran



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COMMON ORDER

These two writ petitions have been filed by the respondents 1 and 2 in E.C.No.114 of 2023, on the file of the Joint Commissioner of Labour under the Employee's Compensation Act, Madurai, challenging the award passed by him on 20.11.2024.

2. According to the learned counsels appearing for the writ petitioners, the statutory authority has not properly considered the submissions raised by them and therefore, the present writ petitions are maintainable.

3. This Court is of the considered opinion that when an appeal remedy is provided under Section 30 of the Employee's Compensation Act, 1923, the present writ petition is not maintainable.

4. As far as W.P.(MD)No.5813 of 2025 is concerned, the period between 25.02.2025 till the date of receipt of the order shall stand excluded for the purpose of calculating limitation for filing an appeal.



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5. As far as W.P.(MD)No.15932 of 2025 is concerned, the period between 09.06.2025 till the date of receipt of the order shall stand excluded for the purpose of calculating limitation for filing an appeal.

6. In view of the above said deliberations, both the writ petitions are disposed of with liberty to the petitioners to file an appeal, if so advised. No costs. Consequently, connected miscellaneous petitions are closed.

12.06.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm

Note: Registry is directed to return the original impugned order to the parties.



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To

The Joint Commissioner of Labour,
Commissioner under Employee's Compensation Act,
Barathi Ula Street,
K.Pudur,
Madurai – 625 002.



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R.VIJAYAKUMAR, J.

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and
W.M.P(MD)Nos.4235, 12058 and 12059 of 2025

12.06.2025