



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 04.06.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.13732 of 2019
and
W.M.P(MD)No.10284 of 2019

Singari

... Petitioner

Vs

1.The Deputy Commissioner of Labour,
(Commissioner of the Workmens Compensation Act),
Deputy Commissioner of Labour Court,
Tirunelveli.

2.Ramakrishnan @ Ramachandran

3.Suslan Windmill Parm Services,
Rep. by its Manager, Service Centre-2,
Tanakkulam Panchayat, Vaadakkankula Road,
Pazhavor Police Station Taluk,
Tirunelveli District.

4.SCM Garments Private Limited,
Rep. by its Proprietor, No.57, VOC Nagar,
Vilayankadu, Tirupur.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in case No.WC 8 of 2009, on the file of respondent No.1 dated 12.03.2019 and quash the same as illegal and consequently directing the respondent Nos.2 and 3 to provide a compensation of Rs.10,00,000/- to the petitioner within the time period stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar
for M/s.T.Lajapathy Roy Associates

For Respondents : M/s.D.Farjana Ghoushiya
Special Government Pleader
for R1
Mr.A.Nawaz Khan
for M/s.Ajmal Associates for R3
No appearance for R2 & R4

* * * * *

ORDER

The claimant in W.C.No.8 of 2009, on the file of the Deputy Commissioner of Labour, Tirunelveli, has filed the present writ petition challenging the quantum fixed by the concerned authority under the Employee's Compensation Act, 1923.

2.A statutory appeal lies as against the award of the Deputy Commissioner of Labour, Tirunelveli, under Section 30 of the Employee's Compensation Act, 1923. When there is an effective alternative statutory appeal remedy, the present writ petition is not maintainable.

3.The writ petition has been filed on 18.06.2019. In case, if the statutory appeal is preferred, the period between 18.06.2019, and the date of receipt of a copy of this order from this Court shall be excluded for the purpose of calculating the period of limitation for filing an appeal.



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4. With the above said observations, this Writ Petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is also closed.

04.06.2025

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

Note:

The Registry is directed to return the original impugned order after obtaining due signature from the learned Counsel appearing for the petitioner.

To

The Deputy Commissioner of Labour,
(Commissioner of the Workmens Compensation Act),
Deputy Commissioner of Labour Court,
Tirunelveli.



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R.VIJAYAKUMAR, J.

RJR

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