



W.P.(MD).No.17749 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.17749 of 2025

and

W.M.P(MD) No.13564 of 2025

R.Shanmugam

... Petitioner

Vs.

1. The Joint Commissioner of
Labour Department,
Labour Department,
Tiruchirappalli.

2. The Employees Compensation Commissioner,
Labour Department,
Tiruchirappalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.No.Aa4/5617/25, dated 16.06.2025 passed by the respondents and quash the same and consequently direct the respondents to disburse the compensation amount for a sum of Rs.24,02,812/- with interest to the petitioner and his daughter-in-law within a time frame.

For Petitioner : Mr.K.Guhan



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

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

2. The present Writ Petition has been filed seeking to challenge the order passed by the first respondent herein on 16.06.2025, wherein he had directed to furnish information about the particulars of the writ petition he had filed for disbursement of compensation.

3. According to the learned counsel appearing for the writ petitioner, one Mr.Ramadosh has passed away in an industrial accident and the employer has already deposited a sum of Rs.24,02,812/- before the first respondent. The legal heirs of the deceased person have approached the first respondent for disbursement of the compensation. The legal heirs were directed to give a letter in writing for considering the disbursement of compensation. Based upon the said letter, the present impugned order has been passed.



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4. This Court is of the considered opinion that the first respondent is the authority under the Employees Compensation Act, 1923 to decide the disbursement of compensation as contemplated under Section 8(4) of the Act. Without undertaking such an exercise, he cannot pass such an impugned order directing the parties to approach the High Court.

5. In view of the above said deliberations, the order impugned in the writ petition is set aside and the matter is remitted back to the file of the first respondent. The first respondent is directed to consider the request of the legal heirs of the deceased Ramadoss and pass orders within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above said observation, this Writ Petition stands allowed. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

01.07.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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Labour Department,
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R.VIJAYAKUMAR,J.

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