



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.08.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)Nos.2208 and 2209 of 2025

and

C.M.P.(MD).No.13079 of 2025

P.Prabhu

...Petitioner
in both petitions

Vs.

1.R.Panjavarnam

2.R.Dhanasekaran

3.R.Ganesan

4.R.Mahalakshmi

...Respondents
in both petitions

COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India to allow these Civil Revision Petitions by setting aside the common order passed in I.A.Nos.15 and 16 of 2025 in E.C.No.119 of 2019 dated 21.07.2025 on the file of the Workmen Compensation Tribunal, Dindigul, Dindigul District.



For Petitioner

: Mr.N.Tamil Mani
in both petitions

COMMON ORDER

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These Civil Revision Petitions have been filed to set aside the common order passed in I.A.Nos.15 and 16 of 2025 in E.C.No.119 of 2019 dated 21.07.2025 on the file of the Workmen Compensation Tribunal, Dindigul, Dindigul District.

2. The respondents herein filed E.C.No.119 of 2019 before the Workmen Compensation Tribunal, Dindigul, claiming a total compensation of Rs.15,00,000/- for the death of one Ramesh, who died while driving the petitioner's car. The petition was dismissed for default on 14.02.2022. In order to restore the case, the respondents filed I.A.No.15 of 2025 to condone the delay of 857 days in filing the restoration petition and I.A.No.16 of 2025 to restore E.C.No.119 of 2019. The Tribunal, by order dated 21.07.2025, allowed both interlocutory applications. Challenging the same, the present Civil Revision Petitions have been filed.

3. The learned counsel for the petitioner would submit that the deceased Ramesh was the husband of the first respondent and father of respondents 2 to 4.

4. The accident occurred on 19.04.2009 during the course of his employment.

Even though the respondents claimed a sum of Rs.15,00,000/- as compensation,

they failed to prosecute their claim diligently. After dismissal for default on



14.02.2022, the respondents remained silent for 857 days and filed the restoration applications belatedly. The reasons assigned for the delay are not bona fide and are unsustainable in law. Hence, the petitioner prayed that the orders passed in I.A.Nos.15 and 16 of 2025 be set aside.

4. This Court carefully considered the submissions made by the learned counsel for the petitioner and also perused the materials available on record.

5. It is not in dispute that the deceased Ramesh died in the accident which occurred on 19.04.2009 while he was driving the petitioner's car during the course of his employment. The claim petition filed by the dependents came to be dismissed for default on 14.02.2022. Thereafter, the respondents sought to restore the case with a delay of 857 days. The Tribunal, while considering the applications, found that the death of the breadwinner of the family was not in dispute and that the claim being a beneficial legislation, liberal interpretation has to be given in favour of the dependents. The Tribunal, therefore, exercised its discretion to condone the delay and restore the claim petition. This Court is of the view that in matters arising under the Workmen Compensation Act, the claimants are generally dependents of the deceased employee and any technical ground should not deprive them of adjudication on merits. The delay of 857 days, though long, has been condoned by the Tribunal for justifiable reasons, and this Court does not find any perversity or illegality in the exercise of such discretion.



5. In view of the above discussion, this Court holds that no interference is called for in the impugned order passed by the Tribunal.

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6. Accordingly, the Civil Revision Petitions stand dismissed. The Joint Commissioner, Workmen Compensation Tribunal, Dindigul, is directed to dispose of E.C.No.119 of 2019 on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order, after providing sufficient opportunity to both parties. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

13.08.2025

Internet: Yes/No

Index: Yes/No

TSG

To

1. The Workmen Compensation Tribunal, Dindigul, Dindigul District.

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI, J.

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