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REV.APPL No. 52 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

REV.APPL No. 52 of 2026

The Commissioner

Corporation of Coimbatore, Coimbatore-642 001.

..Petitioner(s)

Vs

1. S.Shankarapandian

S/o.Sethu Ramasamy

E.B.Contractor

D.No.8/16, Kuttikadu Nagar

Annai Indira Nagar (West)

KK Pudur, Sai Baba Colony

Coimbatore-642011.

2. Saraswathi

W/o.Velumayil alias Sampath

No.1/244, Pollachi Main Road, Sunderapuram,

Coimbatore-641 024.

3. V Loganathan

S/o.Velumayil alias Sampath

No.1/244, Pollachi Main Road, Sunderapuram,



Coimbatore-641 024

Jayalakshmi (died)

4. V Shanmugam

s/o.Venkidusamy

Machampalayam,

Pollachi Main Road, Sunderapuram,

Coimbatore-641 024.

5. V Poongodi

D/o.Venkidusamy

84-2, Komall Konor Thotam,

MGR Nagar, Sunderapuram,

Coimbatore-641 021

6. V Anandan

S/o.Venkidusamy

5/55, Sriram Nagar, Kuniyamuthur,

Coimbatore-641 008

7. V Nandagopal

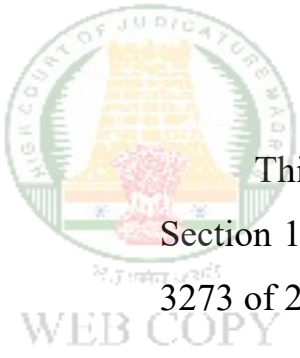
S/o.Venkidusamy

1/40, Idayarpalayam Road, Machampalayam,

Sunderapalayam,

Coimbatore-641 024

..Respondent(s)



This petition has been filed under Order 47 Rule 1 and 2 of CPC r/w Section 114 of CPC, to review the order dated 17.11.2023 passed in CMA No. 3273 of 2019.

For Petitioner(s): Mr.M.Suresh Kumar
Additional Advocate General
Assisted by
Mr.K.Magesh

For Respondent(s): Ms.R.Pushpalatha for R1

ORDER

This petition has been filed to review the order dated 17.11.2023 passed by this Court in CMA No. 3273 of 2019.

2. The petitioner Corporation is the 4th respondent in CMA No.3273 of 2019. The 1st respondent/Contractor .filed an appeal before this Court, aggrieved by the award passed by the Deputy Commissioner of Labour, Coimbatore in E.C No.15 of 2014. The 1st respondent further claimed that he had already deposited the amount before the Tribunal as the petitioner Corporation has not taken any steps to deposit the compensation. This Court, by order dated 17.11.2025, allowed the appeal on the ground that the petitioner Corporation had not produced any documentary evidence regarding the



contract entered into between the petitioner Corporation and the 1st respondent Contractor. Aggrieved by the same, the present review petition has been filed.

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3.The Additional Advocate General appearing for the review petitioner would submit that, admittedly, the award was passed in favour of the claimants 1 to 3 (respondents 1 to 3 in CMA No.3273 of 2019) in E.C No.15 of 2014. The claimants 1 to 3, in the claim petition itself, stated that the husband of the 1st claimant, the father of the 2nd claimant and the son of the 3rd claimant was employed as a daily-wage employee under the 1st respondent Contractor and that he died due to electrocution in the course of his employment. Therefore, they filed a claim petition before the Deputy Commissioner of Labour, Coimbatore in E.C No.15 of 2014. He further submits that in the last paragraph of the order dated 12.04.2019, the Deputy Commissioner issued a direction to the petitioner/Corporation to deposit the compensation before the Tribunal, however in another paragraph issued a direction to the 1st respondent Contractor to pay the compensation along with interest to the petitioner Corporation. Aggrieved by the same, the 1st respondent Contractor filed an appeal before this Court.

4.However, the learned Additional Advocate General fairly submitted that the petitioner Corporation had not filed any appeal for getting clarification. Nevertheless, this Court arrived at the conclusion that as though the petitioner



Corporation had not adduced any evidence before the Labour Court to establish that there was a contract between the petitioner Corporation and the 1st respondent Contractor. When the claimants themselves admitted that there was a contract between the petitioner Corporation and the 1st respondent Contractor, there was no necessity to separately establish the same before the before the trial Court. On the sole ground, the present review petition has been filed.

5. Per contra, the learned counsel appearing for the 1st respondent would submit that, aggrieved by the award passed by the Labour Court, CMA No.3273 of 2019 was filed by the 1st respondent Contractor. After hearing the arguments, this Court passed an order as against the petitioner Corporation, which was arrayed as 4th respondent in CMA No.3273 of 2019. A review can be maintained only on the basis of an error apparent on the face of the record or any clerical error. In the present case, there is no error apparent on the face of the record or any clerical error. In fact, this Court passed an order on merits on the ground that the petitioner Corporation had not adduced any evidence before the trial Court. In the absence of any material to establish the contract, this Court arrived at such a conclusion and allowed the appeal, which does not call for interference.



6. In view of the above, this review petition is dismissed. No costs.

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7. The learned Additional Advocate General had produced a Demand Draft bearing No.447297 dated 05.02.2026, drawn on Indian Bank, Coimbatore Municipal Corporation Office Branch, for a sum of Rs.11,68,484/- in favour of the Registrar General, Madras High Court along with a letter of the Assistant Commissioner, Coimbatore Municipal Corporation, dated 05.02.2026.

8. The Registrar General, High Court of Madras is directed to deposit the Demand Draft bearing No.447297 dated 05.02.2026 drawn on Indian Bank, Coimbatore Municipal Corporation Office Branch, for a sum of Rs.11,68,484/- in an interest-bearing deposit in any one of the nationalised banks and is further directed to send a communication to the District Legal Services Authority, Coimbatore, enabling it to trace the claimants and disburse the said amount to them. The District Legal Services Authority, Coimbatore, shall file a report before this Court on 27.02.2026.

06-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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REV.APPL No. 52 of 2



To

The District Legal Services Authority
Coimbatore.



WEB COPY

REV.APPL No. 52 of 2



M.DHANDAPANI, J.

UMA

REV.APPL No. 52 of 2026

06-02-2026

Page 8 of 8