



C.R.P(MD)No.2706 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P(MD)No.2706 of 2023
and CMP (MD) No.14147 of 2023

The United India Insurance
Company Limited
Rep. by its Divisional Manager
Office at D.No.7A, West Veli Street,
Madurai – 625 001.

... Petitioner/

Vs.

1. K.Karpagavalli

2. V.Kandasamy

.... Respondents/

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to call for the records related to the impugned order passed by the Learned Joint Commissioner for Labour / Commissioner for Workmen compensation, Court, Madurai in I.A.No.79 of 2023 in E.C.No.68 of 2022 dated 31.05.2023 and set aside the same and allow the interlocutory application as prayed for.



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C.R.P(MD)No.2706 of 2023

For Petitioner : Mr.N.Dilip Kumar
For Respondents : No appearance

ORDER

Challenging the order passed in I.A.No.79 of 2023 in E.C.No.68 of 2022 dated 31.05.2023 on the file of the Joint Commissioner for Labour/Commissioner for Workmen Compensation Court, Madurai, the present civil revision petition has been filed by the petitioner/Insurance Company.

2. Heard the learned counsel for the petitioner and perused the materials available on record. Though the names of the respondents are printed in the cause list, there is no representation on behalf of the respondents.

3. The petitioner is an Insurance Company having its registered office at Madurai. The learned counsel appearing for the petitioner/Insurance Company submitted that the husband of the first respondent/claimant died at Tirunelveli and the principal employer is also situated at Tirunelveli. Claiming compensation on account of the



C.R.P(MD)No.2706 of 2023

death of her husband, the first respondent filed E.C. No. 68 of 2022 under the Employees' Compensation Act 1923, before the Joint Commissioner for Employees' Compensation, Madurai. In the said proceedings, the petitioner Insurance Company filed I.A. No. 79 of 2023 questioning the territorial jurisdiction of the Commissioner at Madurai to entertain the claim petition. However, the said application was dismissed. Challenging the same, the present Civil Revision Petition has been filed.

4. The learned counsel for the petitioner submitted that admittedly the second respondent is the employer of the deceased. The second respondent had obtained the insurance policy from the petitioner's Sankarankovil Branch. Though the petitioner has its registered office at Madurai, as per Section 21 of the Employees' Compensation Act, the claim petition is maintainable only before the Commissioner having jurisdiction over the area where the accident took place, where the claimant ordinarily resides or where the employer has his registered office.

5. In the present case, the employer, the deceased employee, and the claimant are all residing at Sankarankovil. Hence, the claim



C.R.P(MD)No.2706 of 2023

petition before the Commissioner at Madurai is not sustainable.

However, the said aspect was not properly considered while dismissing the interlocutory application. Accordingly, the petitioner seeks interference by this Court.

6. Considering the facts and circumstances of the case, this Court finds that admittedly the second respondent is the employer of the deceased. It is equally undisputed fact that the second respondent had taken the insurance policy from the petitioner and the petitioner has its registered office at Madurai. Therefore, the claim petition filed before the Commissioner at Madurai is also covered under Section 21 of the Employees' Compensation Act. Therefore, the Civil Revision Petition is misconceived and is accordingly dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

02.07.2026

Index : Yes/No
Internet : Yes/No
PKN



C.R.P(MD)No.2706 of 2023

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To
The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court, Madurai.



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C.R.P(MD)No.2706 of 2023

M.DHANDAPANI,J.

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C.R.P (MD)No.2706 of 2023

02.07.2026