

ITEM NO.8

COURT NO.12

SECTION XII

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s). 9650/2024

[Arising out of impugned final judgment and order dated 08-02-2021 in CMA No. 3005/2017 passed by the High Court of Judicature at Madras]

N.M. SENTHIL KUMAR

Petitioner(s)

VERSUS

THE DIVISIONAL MANAGER M/S NEW INDIA  
ASSURANCE COMPANY LIMITED & ORS.

Respondent(s)

(FOR ADMISSION and I.R. , IA No. 83573/2024 - EXEMPTION FROM FILING  
C/C OF I/JUDGMENT, IA No. 83574/2024 - EXEMPTION FROM FILING O.T.)

Date : 22-04-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSHU DHULIA  
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. G.Sivabalamurugan, AOR  
Mr. Selvaraj Mahendran, Adv.  
Mr. C.adhikesavan, Adv.  
Ms. Ratan Priya Pradhan, Adv.  
Mr. Harikrishnan P.v, Adv.  
Mr. C.kavin Ananth, Adv.  
Ms. Ratna Priya Pradhan, Adv.  
Ms. Meenakshi Rawat, Adv.

For Respondent(s) Mr. S L Gupta, Adv.  
Mr. Sanjeev Kumar, AOR  
Mr. Asutosh Sharma, Adv.  
Mr. Rajesh Ranjan Prasad, Adv.  
Mr. Sanjeev Kumar Aggarwal, Adv.  
Mrs. Gunjan Sharma, Adv.  
Mr. Mohit Kumar Gupta, Adv.  
Mr. Mata Prasad Singh, Adv.  
Mr. Himanshu Gandhi, Adv.  
Ms. Kumudini Priyadarshini, Adv.  
Mr. Sanjay Kumar Singh, Adv.  
Mr. Dharma Datta Verma, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Heard learned counsel for the parties.

This matter relates to Motor Accident Claims. The deceased who was working in a rig unit as a cleaner, met with an accident during operation of the vehicle (Drilling Rig borewell lorry) and succumbed. A claim was raised under the Workmen Compensation Act before the learned Deputy Commissioner of Labour at Kunnur (for short "the Authority") whereby an award of Rs.5,17,015/- has been awarded by the Authority. The matter was taken up in appeal by the Insurance Company where the terms of the Insurance Company actually shows that only the driver of the vehicle was insured and not the cleaner. The said terms could not show the period or any provision of law or any terms of the policy under which he was covered. Under these circumstances, although compensation has to be paid as fixed by the Authority with the liability as has been fixed upon the owner of the vehicle, who is the present petitioner before us. Learned counsel for the petitioner stated that he has already paid the compensation amount. In case he has not paid the compensation amount, the same is to be recovered from him in accordance with law.

We find no merit in this case and therefore, no reason to interfere in the order passed by the High Court, in exercise of our jurisdiction under Article 136 of the Constitution of India.

The present petition is, accordingly, dismissed along with pending application(s), if any.

(NIRMALA NEGI)  
ASTT. REGISTRAR-cum-PS

(RENU BALA GAMBHIR)  
ASSISTANT REGISTRAR