



C.M.A.No.1470 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.M.A.No.1470 of 2026

Kumaran

...Appellant

Vs.

1. V.Kavitha

2. M/s. National Insurance Company Ltd.,
Salem Branch – III, Royal Towers,
185/1, Meyyanur Road,
ARRS Multiplex Theatre,
Salem – 636 004.

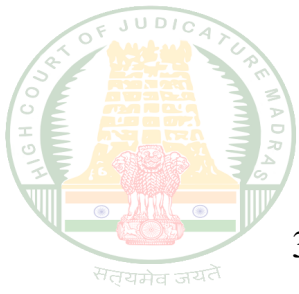
...Respondents

For Appellant : Mr.C.Kulanthaivel

ORDER

This civil miscellaneous appeal has been filed seeking to set aside the order dated 17.12.2021 made in W.C.No.173 of 2020 on the file of the Commissioner of Employees Compensation Court/Joint Commissioner of Labour, Salem.

2. Heard the learned counsel for the appellant.



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3. This civil miscellaneous appeal is admitted on the following

substantial questions of law:

1. Whether the learned Employee's Compensation Commissioner, Salem was right in restricting the monthly income of the injured claimant as Rs.15,000/- p.m. for the accident occurred on 20.07.2020 without taking into account the deeming cap of maximum monthly wages fixed under the Explanation II of Section 4 of the Employees Compensation Act has been removed by amendment dated 18.01.2010?

2. Whether the monthly wages for the injured claimant can be fixed based on the G.O. issued by the State Government as per the Minimum Wages Act in the absence of any revision of wages under Section 4(1-B) of the Employee's Compensation Act, 1923?

3. Whether the injured claimant is entitled for the medical expenses incurred by him as per Section 4(2-A) read with 4-A(3)(a) of the Employee's Compensation Act, 1923?

4. Notice to the respondents, returnable by four weeks. Private notice is also permitted.

5. Registry is directed to call for the records from the Court below and post the matter after four weeks.

16.06.2026
(4/5)

skt



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WEB COPY To:

The Commissioner of Employees Compensation Court/
Joint Commissioner of Labour,
Salem.



WEB COPY



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A.D.JAGADISH CHANDIRA, J.

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