

Kerala High Court

Sasidharan vs K.Y.Baby on 26 June, 2009

IN THE HIGH COURT OF KERALA AT ERNAKULAM

WP(C).No. 17820 of 2009(V)

1. SASIDHARAN, S/O.SUKUMARAN,
... Petitioner

Vs

1. K.Y.BABY, S/O.YOHANAN, KANAVUR VEEDU,
... Respondent

2. ANANDAN, S/O.SUKUMARAN,

3. THE WORKMEN COMPENSATION COMMISSIONER,

For Petitioner :SRI.ANCHAL C.VIJAYAN

For Respondent : No Appearance

The Hon'ble MR. Justice V.GIRI

Dated :26/06/2009

O R D E R

V.GIRI, J.

W.P (C) No. 17820 of 2009

Dated this the 26th June,2009

J U D G M E N T

First respondent approached the Workmen Compensation Commission in W.C.C No.70/2001 claiming compensation in relation to the injury sustained by him while working as a worker under the second respondent, the brother of the petitioner. Second respondent took a contention that he is not the employer. Several years thereafter, the 1st respondent claimant filed an application for impleading the petitioner and for amendment of the complaint which has been allowed, as per Exhibit-P6. Exhibit-P6 has been challenged in this writ petition.

2. I am not inclined to interfere with Exhibit-P6 essentially because the petitioner has liberty to approach the Workmen Compensation Commission or for resisting the claim made by the workman. I also take note of the fact that the 2nd respondent, originally arrayed as W.P (C) No. 17820 of 2009 employer is the petitioner's brother. It is possible that the workmen could have been confused or misled. I find no merit in the writ petition. Accordingly, the writ petition is dismissed.

(V.GIRI,JUDGE) ma W.P (C) No. 17820 of 2009 W.P (C) No. 17820 of 2009