

In the High Court of Judicature at Madras

Dated: 03.06.2015

Coram:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S. SIVAGNANAM

Writ Appeal No. 2285 of 2011
and M.P. No. 1 of 2011

Federation of Association of Private
Schools in Tamil Nadu
rep. by its President Mrs. R. Visalakshi
No.6-A, New No.11
P.T. Rajan Road, 20th Avenue
Ashok Nagar, Chennai 600 083. .. Appellant / Petitioner

vs.

1. The State of Tamil Nadu
rep. by Principal Secretary to Government
Labour and Employment Department
Fort St. George, Chennai 600 009.
2. Employees State Insurance Corporation
rep. by its Additional Commissioner and
Regional Director
143, Sterling Road
Nungambakkam,
Chennai 600 034. .. Respondents/ Respondents 1 & 2

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent,
against the order dated 14.03.2011 passed by the learned Single
Judge, in Writ Petition No.4722 of 2011 on the file of this Court.

W.P.No.4722 of 2011:- Petition under Article 226 of the
constitution of India praying for the issue of a writ of certiorari
to call for the records relating to G.O.Ms.No.237 Labour and
Employment (K1) dt 26th November 2010 passed by the 1st respondent
and quash the same

For Appellant : Mr. C.R. Prasannan

For Respondents: Mr. V.R. Kamalanathan
Additional Government Pleader-R1
Ms. Jeyakumari for R2.

J U D G M E N T

(Delivered by The Hon'ble The Chief Justice)

Learned counsel for the parties state that as recorded in the order dated 17.01.2013, the question of law has been referred to the Larger Bench of the Honourable Supreme Court, i.e. whether the Employees' State Insurance Act, 1948, would apply to educational institutions. Interim orders have been operating in the present matter.

2. In view of the aforesaid position, the writ appeal is disposed of by agreement that the interim orders would continue till the disposal of the matter by the Honourable Supreme Court and the parties would naturally remain bound by the legal position enunciated by the Honourable Supreme Court on such decision being rendered. No costs. Consequently, M.P. No.1 of 2011 is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ATR

To

1. The Principal Secretary to Government
State of Tamil Nadu
Labour and Employment Department
Fort St. George, Chennai 600 009.
2. The Additional Commissioner and
Regional Director
Employees State Insurance Corporation
143, Sterling Road
Nungambakkam, Chennai 600 034.

1 cc to Government Pleader, Sr. 26540

W.A. No. 2285 of 2011

UG (CO)
kk 5/6