

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2015

CORAM

THE HONOURABLE MR.JUSTICE C.S.KARNAN

W.P.No.5805 of 2015

and

M.P.No.1 of 2015

The Managing Director,
Park Town Co-Operative Wholesale
Stores Limited,
Anna Nagar,
Chennai - 600 102.

...

Petitioner

vs.

1.The Presiding Officer,
Principal Labour Court,
Chennai - 600 104.

2.The Regional Director,
E.S.I.143 Sterling Road,
Chennai.

3.The Assistant Director,
E.S.I.Corporation,
143, Sterling Road,
Chennai - 34.

4.The Recovery Officer,
E.S.I.Corporation,
143, Sterling Road,
Chennai - 34.

...

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for a Writ of Certiorarified Mandamus to call for the records of the Principal Labour Court, Chennai, relating to its order in I.A.No.137 of 2014 in E.I.O.P.No.91 of 2005, dated 02.07.2014 and quash the same.

For Petitioner	:	M/s.P.Anbarasan
For Respondents	:	Mrs.S.Jayakumari for R2 to R5 Labour Court for R1

ORDER

The petitioner has filed in E.I.O.P.No.91 of 2005 along with I.A.No.137/2014, before the Principal Labour Court, Chennai, against the Regional Director, E.S.I. Corporation, wherein the respondent has filed counter statement and resisted the same. The learned Judge dismissed the said petition stating that the impugned order has been challenged beyond the period of three years, as provided in the E.S.I Act under Section 45(A). Against the dismissal order, the above writ petition has been filed.

2. Today, when the matter came before this Court, the learned counsel for the petitioner sought permission to challenge the impugned order by Invoking Art 227 of the Constitution of India. Considering the submission made by the learned counsel for the petitioner, this Court is inclined to grant liberty to the petitioner to approach the appropriate forum. Accordingly ordered. Consequently, connected miscellaneous petition is closed.

Note:

This Court directs the registry to return the original order copy to the petitioner's counsel. The Limitation Period will be Governed from the date of this order.

25.09.2015

Index : Yes.
Internet : Yes.

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C.S.KARNAN, J.
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To

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Chennai - 600 104.

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