IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.08.2016

CORAM

THE HONOURABLE Mr. JUSTICE N. KIRUBAKARAN

W.P.No.29590 of 2016 &
W.M.P.Nos.25599 & 25600 of 2016

M/s.G.R.Damodaran College of Education,
Sengoda Gounden Pudur,
Muthugounden Pudur P.O.,
Coimbatore - 641 406.
Represented by its Correspondent,
Dr.D.Padmanaban. .. Petitioner

Versus

1.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Labour & Employment Department,
Fort St. George,
Chennai-600 009.

2.The Employees State Insurance Corporation,
Rep. by its Deputy Director,
No.1897, Trichy Road,
Panchdeep Bhavan,
Ramanathapuram, Coimbatore-641 045. .. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari to call for the records of the second respondent in relation to his proceedings dated 16.08.2016 vide 56001109930001303/Ins IV and quash the same.

For Petitioner : Mr.I.Abrar MD Abdullah

For Respondent : Mr.T.M.Pappiah, Spl. Govt. Pleader for R1
Mr.Bharadwaj for R2

O R D E R

Heard Mr.I.Abrar MD Abdullah, learned counsel appearing for the petitioner, Mr.T.M.Pappiah, learned Special Government Pleader, takes notice for the first respondent and Mr.Bharadwaj, learned Standing Counsel, takes notice for the second respondent. With the consent of the learned counsel on either side, the Writ Petition is taken up for final disposal.

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

2. Learned counsel for the parties state that as recorded in the order dated 05.05.2005 reported in 2005(5) SCC 1 (State of U.P. Vs. Jai Bir Singh), the question of law has been referred to the Larger Bench of the Honourable Supreme Court, i.e., whether the Employees' State Insurance Act, 1949, would apply to educational institutions. Interim orders have been operating in the present matter.

3. In view of the aforesaid position, the Writ Petition is disposed of by agreement that the interim orders would continue till the disposal of the matter by the Hon'ble Supreme Court and the parties would naturally remain bound by the legal position enunciated by the Hon'ble Supreme Court on such decision being rendered. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To
1.The Principal Secretary to Government,
Labour & Employment Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.

2.The Deputy Director,
The Employees State Insurance Corporation,
No.1897, Trichy Road,
Panchdeep Bhavan,
Ramanathapuram, Coimbatore-641 045.

+1 cc to Mr.I.Abrar md Abdullah,advocate,sr.11364.

rj(co)
krd 19/9

W.P.No.29590 of 2016 &
W.M.P.Nos.25599 & 25600 of 2016

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/