

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P. Nos. 36760 to 36762 of 2016

&

W.M.P. Nos. 31600 to 31605 of 2016

CSI Matriculation Higher Secondary School,  
rep. by the Correspondent,  
Race Course, Coimbatore - 641 018.

..Petitioner in W.P. No.  
36760 of 2016

CSI Nursery and Primary School,  
rep. by the Correspondent,  
V.H. Road, Coimbatore - 641 001.

..Petitioner in W.P. No.  
36761 of 2016

CSI Girls Higher Secondary School,  
rep. by the Correspondent,  
Avinashi Road,  
Coimbatore - 641 018.

..Petitioner in W.P. No.  
36762 of 2016

Vs.

1. The Government of Tamil Nadu,  
rep. by its Principal Secretary,  
Labour and Employment Department,  
Fort St. George,  
Chennai 600 009.

2. ESI - Regional Corporation (Tamil Nadu),  
rep. by its Regional Director,  
143, Sterling Road,  
Chennai - 600 034.

3. ESI - Sub Regional Office (Tamil Nadu),  
rep. by its Deputy Director,  
1897, Trichy Road,  
Panchdeep Complex,  
Ramanathapuram,  
Coimbatore - 641 045.

..Respondents in all the  
Writ Petitions

Prayer: Petitions under Article 226 of the Constitution of India praying for issue of a Writ of Certiorari to call for the records pertaining to the impugned G.O.(Ms) NO. 237, Labour and Employment (K1) Department dated 26.11.2010 issued by the 1<sup>st</sup> respondent and the consequential proceedings under Code Nos. 56001108460001302 dated 12.08.2016 in No. 56001108460001302 / Ins.IV (W.P. No. 36760/2016), 56001110920001301 dated 16.08.2016 in No.56001110920001301/Ins.IV (W.P. No. 36761/2016) and 56001109610001302 dated 12.08.2016 in No. 56001109610001302/Ins.IV (W.P. No. 36762/2016) on the file of the 3<sup>rd</sup> respondent and quash the same in respect of the respective petitioner schools.

For Petitioners::Mr.FR. Xavier Arulraj,  
Senior Counsel for Ms.A. Arul Mary

For Respondents::Mr.T.M. Pappiah,  
Special Govt. Pleader for R1  
Mr.C.V. Ramachandramurthy  
for R2 & R3

COMMON ORDER

The petitioners in the respective writ petitions are minority Educational Institutions and the challenge made is to the Government Order passed by the 1<sup>st</sup> respondent in G.O.(Ms) No. 237, Labour and Employment Department dated 26.11.2010 and the consequential orders passed by the 3<sup>rd</sup> respondent dated 12.08.2016, 16.08.2016 and 12.08.2016 respectively, in respect of the petitioner Schools.

2. When the writ petitions are taken up, it has been brought to the notice of this Court that in identical circumstances, in W.P. No. 5783 of 2016, this Court, while disposing of the writ petition on 17.02.2016, passed the following order:

"5. Accordingly, the writ petition is disposed of by granting an order of interim stay of the impugned proceedings insofar as the petitioner is concerned and the said order of stay will continue till the disposal of the matter before the Honourable Supreme Court and the petitioner would be bound by the legal position enunciated by the Honourable Apexd Court on such decision being rendered...."

3. Following the said order, these writ petitions are also disposed of granting an order of interim stay of the impugned proceedings, in each of the writ petitions, insofar as the respective petitioners are concerned and the said order of stay will continue till the disposal of the matter before the Honourable Supreme Court and the petitioners would be bound by

the legal position enunciated by the Honourable Apexd Court on such decision being rendered. No costs. Connected W.M.P. Nos. 31600, 31602 & 31604 are closed.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

nv  
To

1. The Principal Secretary,  
Labour and Employment Department,  
Fort St. George,  
Chennai 600 009.
2. The Regional Director,  
ESI - Regional Corporation (Tamil Nadu),  
143, Sterling Road,  
Chennai - 600 034.
3. The Deputy Director,  
ESI - Sub Regional Office (Tamil Nadu),  
1897, Trichy Road,  
Panchdeep Complex,  
Ramanathapuram,  
Coimbatore - 641 045.

+3ccs to Mr.C.V. Ramachandra Murthy, Advocate, S.R.No.59373  
+4ccs to Mrs.A. Arul Mary, Advocate, S.R.No.59281

CA(CO)  
EU(21/11/2016)

WEB COPY

W.P. Nos. 36760 to 36762 of 2016  
&  
W.M.P. Nos. 31600 to 31605 of 2016