

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.4373 of 2017

Kongu Vellalar Matriculation
Higher Secondary School
rep by its President R.Ponnusamy
Karumathampatti
Coimbatore 641 659 .. Petitioner

-vs-

1. The State of Tamil Nadu
represented by its Principal Secretary
Labour and Employment Department
Fort St.George
Chennai 600 009
2. Employees State Insurance Corporation
represented by its Additional
Commissioner & Regional Director
143, Sterling Road, Nungambakkam
Chennai 600 034
3. Employees State Insurance Corporation
rep. By its Deputy Director
1897, Trichy Road, Ramanathapuram
Coimbatore 641 045 .. Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Certiorari, calling for the
records relating to G.O.Ms.No.237, Labour and Employment (K1)
dated 26.11.2010 passed by the first respondent, quash the same.

For Petitioner :: Mr.K.Govi Ganesan
For Respondents :: Mr.M.Elumalai
Government Advocate for R1
Mr.G.Bharadwaj for R2 & 3

ORDER

Kongu Vellalar Matriculation Higher Secondary School
represented by its President, Coimbatore has brought this writ
petition challenging the impugned G.O.Ms.No.237, Labour and
Employment (K1) dated 26.11.2010 issued by the Principal
Secretary to Government, Labour and Employment Department, the

first respondent herein and to quash the same.

2. Heard the learned counsel for the petitioner, the Government Advocate for the first respondent and the learned counsel for the second and respondents.

3. It is not in dispute that when similar writ petitions were filed with regard to the extension of insurance scheme for the private educational institutions, the said writ petitions and writ appeals were clubbed together and decided in Writ Appeal No.918 of 2013 etc. batch, wherein the Hon'ble Division Bench of this Court by common order dated 16.06.2015, had disposed of the same on the following terms:-

"2.In view of the aforesaid position, the writ appeals and the writ petitions are 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, connected Miscellaneous Petitions are closed."

4. Since the issue involved in this writ petition is identical to that of the case dealt with by the Hon'ble First Bench of this Court and I am bound by the above order passed by the Hon'ble First Bench, this writ petition is disposed of on the basis of paragraph-2 of the above order dated 16.06.2015 passed in Writ Appeal No.918 of 2013 etc., batch. Consequently, W.M.P.Nos.4563 & 4564 of 2017 are closed. No costs.

ss

सत्यमेव जयते -sd-

Assistant Registrar

//True copy//

WEB COPY

Sub Assistant Registrar

To

1. The Principal Secretary to Government
Labour and Employment Department
Fort St.George
Chennai 600 009

2. The Additional Commissioner
& Regional Director
Employees State Insurance Corporation
143, Sterling Road
Nungambakkam
Chennai 600 034

3. The Deputy Director
Employees State Insurance Corporation
1897, Trichy Road, Ramanathapuram
Coimbatore 641 045.

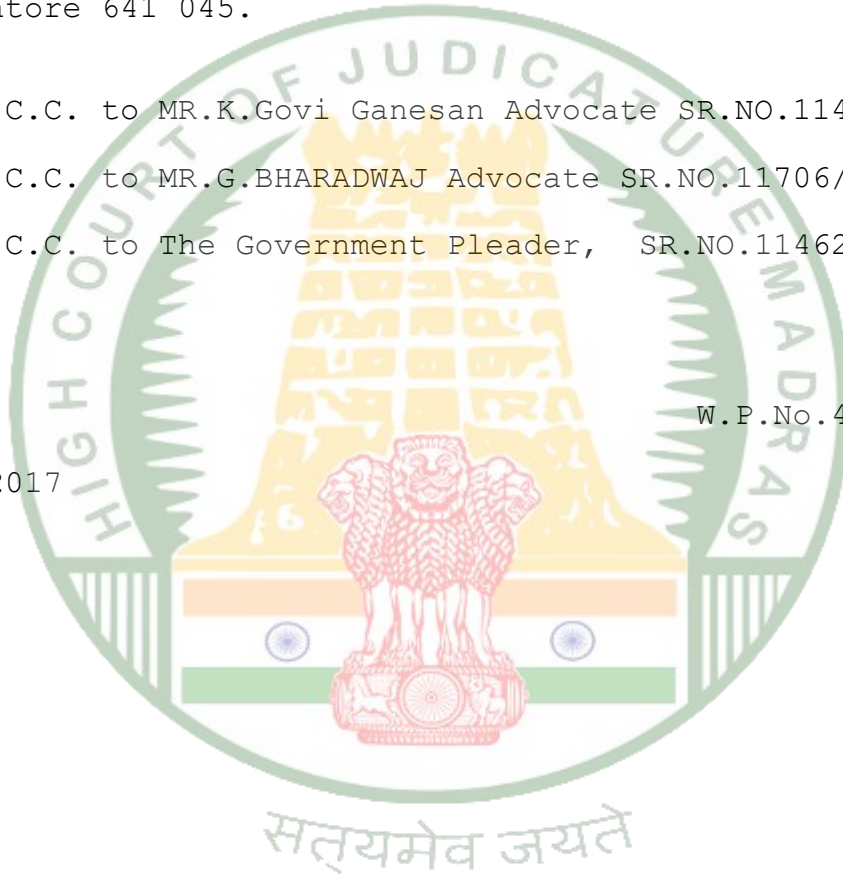
+1 C.C. to MR.K.Govi Ganesan Advocate SR.NO.11425/17

+1 C.C. to MR.G.BHARADWAJ Advocate SR.NO.11706/17

+1 C.C. to The Government Pleader, SR.NO.11462/17

NR II (CO)
VS 13.03.2017

W.P.No.4373 of 2017



WEB COPY