

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.12.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.27087 of 2011

and

M.P.No.1 of 2011

M/s.Tussor Machine Tools India Pvt.Ltd.,
No.247, Avinashi Road,
Neelambur Post,
Coimbatore - 641 014. ..Petitioner

vs

1.The Director,
ESI Corporation,
Sub-Regional Office,
Trichy Road,
Coimbatore - 45.

2.The Management,
Usha Engineering Works,
ESI Code No.56-34852-66,
Narasimanaickenpalayam,
Coimbatore - 31. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records from the file of the 1st Respondent in Ref.No:56-00-107815-000-0607/INS.I/PMD dated 28.10.2011 and quash the same and consequently direct the 1st Respondent to conduct enquiry as per law and pass orders after verifying the original records of the contractor the 2nd respondent M/s.Usha Engineering Works covered under ESI scheme for the disputed period 2006-2008.

For Petitioner : Mr.R.Gokulakrishnan
For Respondents : Mrs.S.Jayakumari for R1
Mr.S.Jayaraman for R2

O R D E R

The order passed by the authorities are to be challenged before the ESI Court under Section 75 of the ESI Act.

2.The learned counsel for the petitioner states that in view of the pendency, now the point of delay will be raised by the ESI Court. Thus, the delay is condoned and the petitioner is permitted to move the ESI Court for appropriate relief by filing the petition.

3.Accordingly, the writ petition stands dismissed as withdrawn. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also closed. The original order enclosed in this writ petition is directed to be returned to the learned counsel for the petitioner.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

sk/kak

+1cc to Mr.M.PARTHASARATHY, Advocate, S.R.No. 92316
+1cc to Mr.S.JAYAKUMAR, Advocate, S.R.No. 92097

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PA (CO)
TR (29/01/2018)

सत्यमेव जयते

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