

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 8.2.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.174 of 2018
and
C.M.P.No.1085 of 2018

Hindustan Matriculation Higher
Secondary School/rep. by
Executive Trustee & Secretary
K.Priya Appellant

Versus

1. The State of Tamil Nadu,
rep. by its Principal Secretary to Government,
Labour and Employment Department,
Secretariat, Fort George, Chennai 600 009.
2. The ESI Regional Corporation,
rep. by its Regional Director,
143, Sterling Road, Chennai 600 034.
3. The ESI Sub Regional Office,
rep. by its Deputy Director,
1897 Trichy Road, Ramanathapuram,
Coimbatore 641 045. Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 28.11.2017 passed in W.P.No.30788 of 2017 on the file of this court.

WP.30788/17: petition filed under Article 226 of the constitution of India, praying Hon'ble court to issue a writ of Certiorari or any other appropriate writ or order or direction in the nature of a writ calling for the records pertaining to the impugned G.O.Ms.No.237 Labour and Employment (K1) dated 26.11.2010 passed by the 1st Respondent and the consequential proceedings of the 3rd Respondent in Ref.No.56001107050001302/7292015451 dated 03.08.2015 and quash the same.

For appellant : Mr.S.Gunalan
For respondent : Mr.R.Prathapkumar, AGP

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellant and Mr.R.Prathapkumar, learned Additional Government Pleader, who takes notice on behalf of the respondents.

2. The question involved in the matter is whether the Educational Institutions are also covered by the Employees State Insurance Act and thereby they are bound to pay the employees state insurance contribution, which has already been answered in a similar case in W.A.No.1308 of 2017 by judgment dated 26.10.2017, wherein, while upholding the order passed by the learned Single Judge, which was impugned therein at the instance of the educational institution, a direction has also been issued to the educational institution to pay the arrears of ESI Contribution in equal monthly instalments as on the date of such a direction and to continue to pay the ESI contribution on regular basis thereafter.

3. The above decision squarely covers the present case. Therefore, the present writ appeal is disposed of in the above terms. No costs. The connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

ssk.

To:

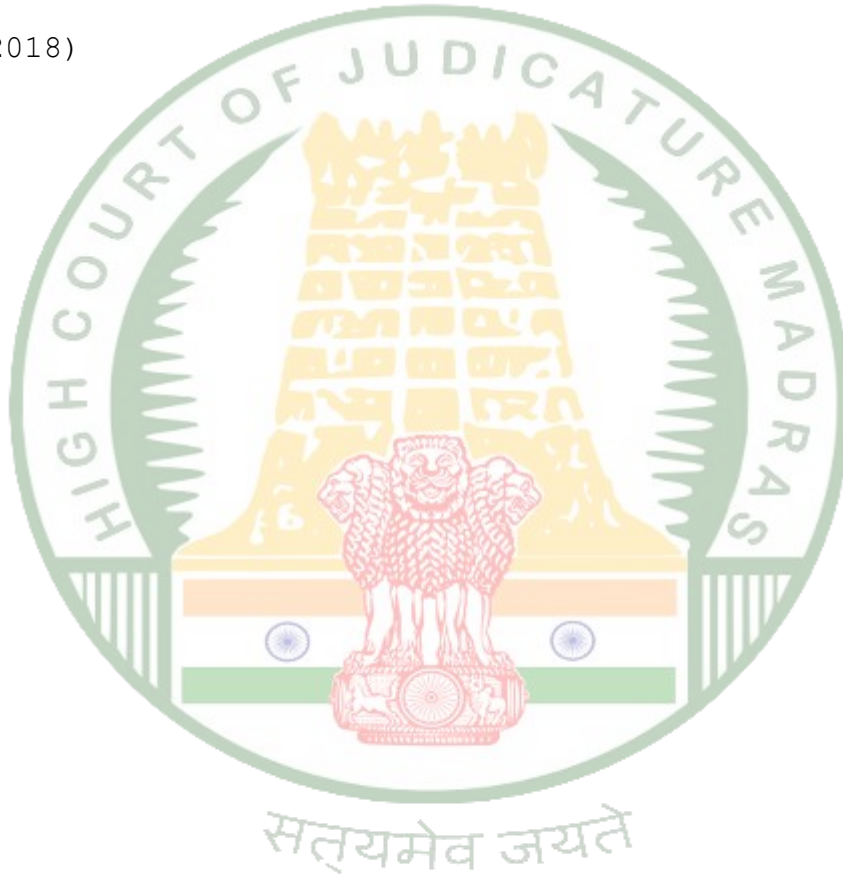
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Coimbatore 641 045.

+1cc to Mr.S.GUNALAN, Advocate, S.R.No. 9952
+1cc to the Government Pleader, S.R.No. 10267

W.A.No.174 of 2018

SV(CO)
TR(27/02/2018)



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