

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.04.2018

CORAM

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

W.P. No.33106 of 2017

and

W.M.P.No.36520 of 2017

M/s.Blue Ocean Personnel & Allied Services Pvt Ltd
Rep by is Director
No.24, III Floor Nithya Building
Chamiers Road, Nandanam
Chennai - 600 035. Petitioner

Vs

1. The Regional Director,
Regional Office,
Employees' State Insurance Corporation, Ro-Chennai,
ESI Corporation, Panchdeep Bhawan,
143, Sterling Road, Chennai - 34.
2. Recovery Officer,
Regional Office,
Employees' State Insurance Corporation, Ro-Chennai,
ESI Corporation, Panchdeep Bhawan,
143, Sterling Road, Chennai - 34.
3. The Deputy Regional Director,
Regional Office,
Employees' State Insurance Corporation, Ro-Chennai,
ESI Corporation, Panchdeep Bhawan,
143, Sterling Road, Chennai - 34.
4. The Assistant Director,
Employees' State Insurance Corporation,
ESI Corporation, Panchdeep Bhawan,
143, Sterling Road, Chennai - 34. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus to call for the records relating to 2nd respondent proceeding No.TN/RECY/51-00-1047360-00-1001 dated 13.07.2017 and quash the same as illegal and consequently direct the respondents to defreeze the petitioner's State Bank of India, Mandavelli Branch, Account No.32506233467.

For Petitioner : Mr.R.Subburaj
For Respondents : Mr.T.N.C.Kaushik

O R D E R

The grievances of the writ petitioner is that the order passed by the competent authority was not communicated to the writ petitioner and in the event of receipt of the order, the writ petitioner has to approach the ESI Court for redressing his grievances under the provisions of the Act.

2.The learned counsel appearing on behalf of the respondent made a submission that the said notice was already sent to the address provided by the writ petitioner and the same was returned as "the person left".

3.However, the said order is now communicated to the writ petitioner and therefore, the writ petitioner has to approach the ESI Court for the purpose of redressing his grievances.

4.In view of the fact that the order from and out of which the petitioner aggrieved is now communicated to the writ petitioner and the writ petitioner is at liberty to approach the ESI Court under the provisions of the Act.

5.With these observations, the writ petition stands closed. However, there is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

maya/at

To

1. The Regional Director,
Regional Office,
Employees' State Insurance Corporation, Ro-Chennai,
ESI Corporation, Panchdeep Bhawan,
143, Sterling Road, Chennai - 34.

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2. The Recovery Officer,
Regional Office,
Employees' State Insurance Corporation, Ro-Chennai,
ESI Corporation, Panchdeep Bhawan,
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3. The Deputy Regional Director,
Regional Office,
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ESI Corporation, Panchdeep Bhawan,
143, Sterling Road, Chennai - 34.
4. The Assistant Director,
Employees' State Insurance Corporation,
ESI Corporation, Panchdeep Bhawan,
143, Sterling Road, Chennai - 34.

+1cc to Mr.R.Subburaj, Advocate Sr.No.26310
+1cc to Mr.T.N.C.Kaushik, Advocate sR.No.26176

VBA (CO)
sm:23.4.2018

W.P. No.33106 of 2017



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