

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.07.2018

Coram:

The Honourable Mr.Justice S.M.SUBRAMANIAM

W.P.No.3487 of 2013

and

M.P.No.1 of 2013

Premier Match Industries,
Rep. by its Proprietor
Mr.J.P.As swath Narayanan
59-R, Bye Pass Road,
Dharmapuri - 636 701.Petitioner

Versus

1. Director,
Employees State Insurance Corporation,
Office of the Director of ESI,
South Regional Office,
Salem.
2. Deputy Director (MEC Branch)
ESI Corporation,
39/57, Three Roads,
Slem 636 009.Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the passing of the impugned order dated 04.01.2013, in No.63000453640000303/MEC/12, passed by the second respondent and to quash the same and consequently direct the first respondent herein to take on file the appeal filed by the petitioner and dispose the same on merits.

For Petitioner : Mr.Rathina Asohan

For Respondents : Mr.T.N.C.Kaushik

ORDER

The order passed by the second respondent under Section 45 AA of the Employees State Insurance Corporation Act (hereinafter referred to as "Act") in proceedings dated 04.01.2013, is under challenge in this Writ Petition.

2. The said order is an appealable order and the appeal is to be preferred under Section 75 of the Act before the Employees State Insurance Court for adjudicating the issues involved in the matter. Thus, it is left open to the writ petitioner to approach the Employees State Insurance Court by filing an appeal. In the event of filing any such appeal, Employees State Insurance Court shall consider the same on merits and in accordance with law.

3. In the result, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. Director,
Employees State Insurance Corporation,
Office of the Director of ESI,
South Regional Office,
Salem.

2. Deputy Director (MEC Branch)
ESI Corporation,
39/57, Three Roads,
Slem 636 009.

+1cc to Mr.Rathina Asohan, Advocate, S.R.No.43816
+1cc to Mr.T.N.C.KAUSHIK, Advocate, S.R.No.43830

W.P.No.3487 of 2013

NRL(CO)
SMI/06.08.2018

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