



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

C.R.P (MD) No.2126 of 2019

WEB COPY

1.The Employees State Insurance Corporation,
Sub Regional Office,
2nd Main Road, K.K. Nagar,
Madurai - 625 020
through its Deputy Director (INS 1)

2.The Recovery Officer,
The Employees State Insurance Corporation,
Sub Regional Office,
2nd Main Road, K.K. Nagar,
Madurai - 625 020.

... Petitioners / Respondents

Vs.

M/s. Vel College of Education,
New Dharrapuram Road,
Puliampatti (PO) - 624 617,
Palani Taluk, Dindigul District.

... Respondent / Petitioner

PRAYER: This Civil Revision Petition is filed under Article 227 of Constitution of India to set aside the order passed by the Presiding Officer of the ESI Court, Madurai, in I.A.No.285 of 2018 in ESI.O.P.No. 44 of 2019.

For Petitioners : Mr. P. Ganapathisamy

ORDER

This Civil Revision Petition has been filed challenging the order dated 17.05.2019 passed in I.A.No.285 of 2018 in ESI.O.P.No. 44 of 2019, on the file of the Presiding Officer of the ESI Court, Madurai.

2. The respondent herein has filed an application in I.A.No. 285 of 2018 in ESI.O.P.No. 44 of 2019, on the file of the Presiding Officer of the ESI Court, Madurai, to direct the second petitioner herein to lift the Garnishee order dated 21.08.2018 passed against him. The ESI Court (Labour Court), Madurai, has passed an order dated 17.05.2019. Aggrieved by that order,



the petitioners have come up with this revision petition.

3. This Court is not inclined to interfere with the order passed by the Court below, since the order of recovery can be passed only after full adjudication of the matter. Therefore, this Court is inclined to dismiss this petition.

4. At this juncture, the learned counsel appearing for the petitioners seeks early disposal of ESIOP No. 44 of 2019.

5. Considering the submission made by the learned counsel appearing for the revision petitioners and in view of the fact that the recovery order was passed by the authority below and subsequently, the same was stayed by the learned Judge, ESI Court (Labour Court), Madurai, this Court is of the view that it would be appropriate to direct the Court below to dispose of the present ESI OP.No. 44 of 2019 as early as possible, in any event, not later than four months from the date of receipt of a copy of this order.

6. This Civil Revision Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

trp
To

The Presiding Officer of the ESI Court,
Labour Court, Madurai.

+1 cc to Mr.P.Ganapathisamy , Advocate SR.No.100663

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KM/ (02.01.2020) 2P 3C