



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.(MD) No.25063 of 2019

and

W.M.P.(MD) .No.21660 of 2019

M/s.Clean Care Service Centre,
23C/6, Besant Road, Chinna Chokkikulam
Madurai-625 002
rep. by its Proprietor

... Petitioner

vs.

The Recovery Officer,
Employees' State Insurance Corporation
2nd West Street, K.K.Nagar,
Madurai-625 020.

... Respondent

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the respondent in his proceedings in No.57/ RRC/ 57/ 020776/ 000/1001/ SRO/ MDU/18 dated 30.9.2019 passed by the respondent and quash the same and permit the petitioner to remit a sum of Rs.7,58,589/- in 20 monthly easy installments.

For Petitioner : Mr.M.Elanchezhian

For Respondents : Mr.R.Raveendran
Standing Counsel

O R D E R

Mr.R.Raveendran, learned Standing Counsel takes notice on behalf of the respondent.

2.This writ petition has been filed, challenging the impugned order, passed by the respondent in his proceedings in No.57/ RRC/ 57/ 020776/ 000/1001/ SRO/ MDU/18 dated 30.9.2019 and quash the same and permit the petitioner to remit a sum of Rs.7,58,589/- in 20 monthly easy installments.



3. According to the petitioner, he is facing a recovery proceedings taken by the respondent in proceedings No.57/ RRC/ 57/ 020776/ 000/1001/ SRO/ MDU/18 dated 30.9.2019. In the said proceedings, the respondent has observed that the petitioner has to pay a sum of Rs.7,58,589/- along with future interest and in case of default, a proceeding for attachment of debt will be taken under Section 45C of the Employees State Insurance Act. The petitioner challenges the above said proceedings and seeks permission to clear the entire dues by installments.

4. Though 20 installments was sought for by the petitioner, it is vehemently opposed by Mr.R.Raveendran, learned Standing Counsel appearing for the respondent. According to the respondent, the number of installments should be restricted.

5. Considering the above submission, 20 installments sought for by the petitioner is restricted to 15 installments, as proposed by the counsel for the respondent.

6. Accordingly, the petitioner is directed to pay a sum of Rs.7,58,589/- along with future interest in 15 equated monthly installments, failing which, it is open to the respondent to proceed further with the recovery proceedings.

7. With this observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

+1 CC to M/s.K. HEMAKARTHIKEYAN, Advocate (SR-101371[F] 26/11/2019)

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Vs

SDS (18.12.2019) 2P 2C