

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.08.2020
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 6090 of 2020
and
W.M.P. No. 7154 of 2020

Shrimathi Devkunvar Nanalai
Bhatt Vaishnav College for Women (Autonomous),
Represented by its Secretary,
Chrompet,
Chennai - 600 044.

... Petitioner

-vs-

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Labour & Employment Department,
Fort St. George,
Chennai - 600 009.
2. The Employees State Insurance Corporation,
Rep. by its Additional Commissioner &
Regional Director of ESIC, Tamil Nadu,
No. 143, Sterling Road,
Nungambakkam,
Chennai - 600 034.
3. The Employees State Insurance Corporation,
Rep. by its Deputy Director of ESIC, Chennai,
No. 143, Sterling Road,
Nungambakkam,
Chennai - 600 034.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, declaring that G.O. (Ms) No. 237, Labour and Employment (K1) Department, dated 26.11.2010 and published in page No. 879 of Part II, Section 2 of the Tamil Nadu Government Gazette No. 51, dated 29.12.2010, on the file of the First Respondent, & the consequent Notice vide TN/Ins 8/51-00-101100-000-1303/850 & 851 dated 27.01.2020, of the Third Respondent as illegal and unconstitutional in so far as the Petitioner Educational Institution is concerned.

For Petitioner : Mr. K. Shakespeare
For Respondents : Mr. D. Sathyaraj,
Special Government Pleader (for R1)
Mr. G. Bharadwaj,
Standing Counsel (for R2 & R3)

O R D E R
(through video conference)

Learned Counsel for the Petitioner seeks permission of this court to withdraw the Writ Petition in view of the decision of the Full Bench of this Court in All India Private Educational Institutions Association -vs- State of Tamil Nadu (Order dated 29.07.2020 in W.P. No. 34236 of 2019 etc., batch), with liberty to workout the rights of the Petitioner in proceeding under Section 75 of the Employees State Insurance Act, 1948, for appropriate relief before the jurisdictional Employees Insurance Court. He has also filed a memo to that effect through e-mail dated 13.08.2020, which is placed on record.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petition is closed. No costs.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

vjt

To

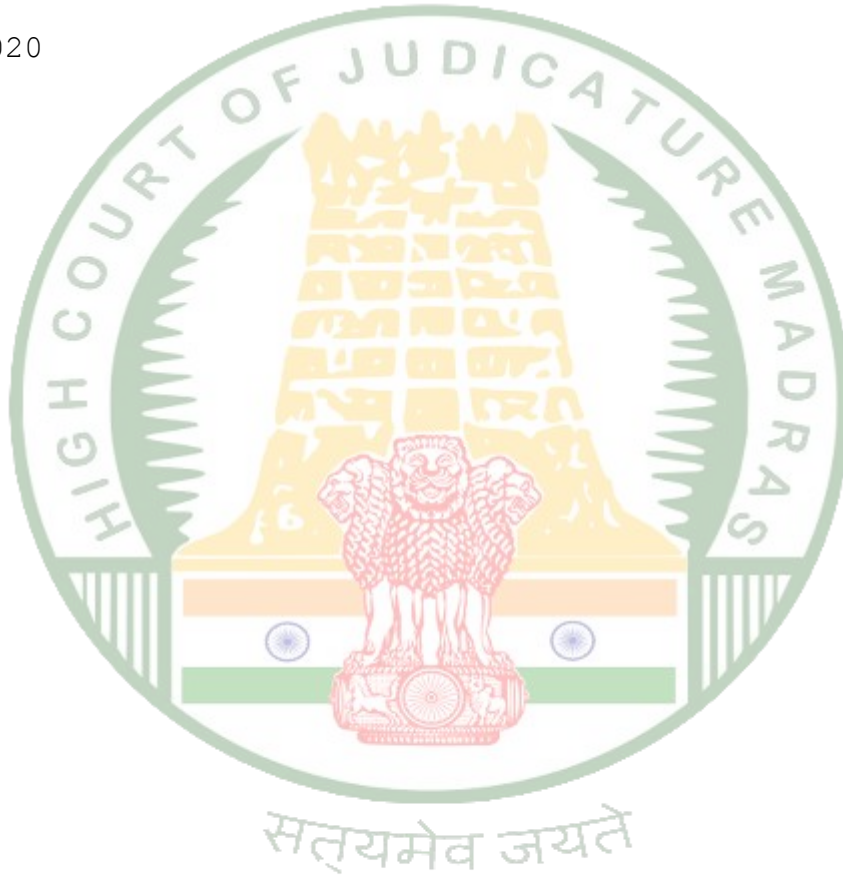
1. The Principal Secretary to the Government of Tamil Nadu,
Labour & Employment Department,
Fort St. George,
Chennai - 600 009.
2. The Additional Commissioner & Regional Director of ESIC,
Employees State Insurance Corporation,
No. 143, Sterling Road,
Nungambakkam,
Chennai - 600 034.

3. The Deputy Director,
Employees State Insurance Corporation,
No. 143, Sterling Road,
Nungambakkam,
Chennai - 600 034.

+1 cc to M/s.G.Bharadwaj Advocate sr26762

W.P. No. 6090 of 2020

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