

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 22.09.2021**

**CORAM:**

**THE HONOURABLE Mr. JUSTICE G.CHANDRASEKHARAN**

**C.R.P.(PD)No.1901 of 2021**  
**and C.M.P.Nos.14793 & 14796 of 2021**  
**(Through Video Conference)**

FHA Apparels,  
Rep. by its Manager,  
Mr. Jothiba Devappa Rajai,  
S.F.No.456/2, Avinasilingampalayam,  
Tirupur Main Road,  
Avinashi-641 654  
Tirupur District.

...Petitioner

Versus

E.S.I. Corporation,  
Rep. by its Deputy Director,  
No.1897, Trichy Road,  
Coimbatore-45

...Respondent

**PRAYER:** Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the Impugned Order dated 18.01.2021 in I.A.No.1 of 2020 in E.S.I.,O.P.CFR.No.1434 of 2020 passed by the Hon'ble Employees State Insurance Court, [Principal Labour Court], Coimbatore.

For Petitioner : Mr.A.Devasigamani

For Respondent : Mr. G. Bharadwaj

**O R D E R**

This Civil Revision Petition is filed against the order passed in I.A.No.1 of 2020 in E.S.I.,O.P.CFR.No.1434 of 2020 passed by the learned Employees State Insurance Court, [Principal Labour Court], Coimbatore.

2. When the matter was taken up for hearing, the learned counsel for the respondent submitted that an appeal will lie in this regard and the present Civil Revision Petition cannot be filed. He has relied on the order passed in C.R.P.(NPD) No.447 of 2020 by this Court and referred to the following Judgments cited in the order:

- (i) **[2019 (5) CTC 696] *Virudhunagar Hindu Nadargal Dharma Paribalana Sabai and others Vs. Tutucorin Educational Society and others;***
- (ii) **[(2006) 1 LLJ 785] *Cal [Employees State Insurance Corporation and others Vs. Hotel Airport Asho and another];and***
- (iii) **[MANU/PH/1263/2011] *Sulabh International Social Service Organisation Vs. Employees State Insurance Corporation and others.***

3. It was held in the above judgments that only an appeal is maintainable. Therefore, Registry is directed to return the papers to convert the Civil Revision Petition to Civil Miscellaneous Appeal.

4. In view of the order passed in Civil Revision Petition in C.R.P.(NPD) No.447 of 2020, this Court directs the Registry to return the papers to the learned counsel on record for the petitioner enabling the conversion of the Civil Revision Petition to Civil Miscellaneous Appeal and the said process shall be completed within a period of two weeks from the date of resubmission of the returned.

5. Accordingly, this **Civil Revision Petition is Disposed** of. No costs. Consequently, connected miscellaneous petitions are closed.

**22.09.2021**

Index: Yes/ No  
Speaking Order / Non-Speaking Order

sts/jai

**G.CHANDRASEKHARAN, J.,**

sts/jai

To:

The Employees State Insurance Court,  
[Principal Labour Court],  
Coimbatore.



Order made in  
C.R.P.(PD)No.1901 of 2021

Dated:  
**22.09.2021**

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