



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Twenty Third day of June Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon'ble Mr.Justice T.S.SIVAGNANAM

AND

The Hon'ble Mrs.Justice S.ANANTHI

CMP(MD). No.6446 of 2020

in

WA(MD).No.736 of 2020

Kamaraj Industrial Weavers Co-operative Production and Sales
Society Limited, No.TNH-110, Paramarthalingapuram,
Vettornimadam Post, Nagercoil, Kanyakumari District
Rep.By its Handloom Officer / Special Officer
...Petitioner/Appellant

Vs

- 1 The Deputy Regional Director,
Employees State Insurance Corporation,
Sub Regional Office (Tirunelveli), Salai Streert,
Vannarapettai, Tirunelveli-3.
- 2 The Recovery Officer,
Employees State Insurance Corporation,
Sub Regional Office (Tirunelveli), Salai Streert,
Vannarapettai, Tirunelveli-3.
- 3 The Presiding Officer, Labour Court, Tirunelveli.

...Respondents / Respondents

Prayer in CMP(MD). No.6446 of 2020 :-

Civil Miscellaneous Petition is filed under section 151 of Civil Procedure Code, praying this Hon'ble Court to grant Extension of time for the period of 2 months to pay the pre-deposit amount in W.A(MD).No.736 of 2020 dated 10-09-2020.

Prayer in WA(MD).No.736 of 2020 :

Writ Appeal filed under section 15 of Letter Patent Act, praying this Hon'ble Court against the order dated 07.02.2018 made in W.P.(MD)No.5176 of 2016.

Prayer in WP(MD).No.5176 of 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus
calling for the records relating to the impugned order passed by the



E.S.I. Court Tirunelveli in I.A.No.219 of 2014 in unregistered E.S.I.O.P. dated 26.03.2015 and quash the same as illegal consequently directing the 3rd Respondent to number of E.S.I.O.P. without insisting the condition of pre-deposit.

ORDER:-

Civil Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.Mohan Gandhi, Advocate For Mr.M.Perumal, Advocate for the Petitioner and of Mr.I.Pinay Gash, Advocate for the 1st and 2nd respondents, this Court made the following order:

Heard Mr.Mohan Gandhi, learned Counsel appearing for the petitioner and Mr.I.Pinaygash, learned Counsel appearing for the respondents 1 and 2.

2.This petition has been filed for grant of extension of time to comply with the pre-deposit amount in terms of the order dated 10.09.2020 in this appeal.

3.Though, the time limit has already expired, the learned Counsel for the petitioner would submit that due to pandemic situation, the petitioner society is unable to muster funds and prays that one month time may be granted. Considering the said submission, the petitioner society is granted time to comply with the conditional order till **29.07.2021**. It is made clear that no further extension will be granted and if the amount is not paid within the said time, the benefit of this order will not inure to the petitioner and the petition will stands dismissed automatically.

4.Accordingly, this petition is ordered.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1 The Presiding Officer, Labour Court, Tirunelveli.

2 The Deputy Regional Director,
Employees State Insurance Corporation,
Sub Regional Office (Tirunelveli), Salai Streert,
Vannarapettai, Tirunelveli-3.



3 The Recovery Officer,
Employees State Insurance Corporation,
Sub Regional Office (Tirunelveli), Salai Street,
Vannarapettai, Tirunelveli-3.

WEB COPY

ORDER DATED : 23/06/2021

ORDER

CMP(MD) . No.6446 of 2020
in
WA(MD) .No.736 of 2020

Giving direction and etc.
as stated within.

KK(02.07.2021) 3P 4C