



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.06.2021
C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W. P . (MD) No. 5690 of 2016

and

W.M.P (MD)No.5122 of 2016

R.Mahalakshmi

... Petitioner

Vs.

1.The Deputy Director(Claims)

ESI Corporation,
Sub - Regional Office (Madurai)
2nd West Street, K.K.Nagar,
Madurai-625 020.

2.The Manager,

ESI Corporation Local Office,
Natham Road, Dindigul-624 003.

3.The Management,

M/s.Annamalaiyar Mills Ltd.,
Madurai Road, Begambur Post,
Dindigul-624 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, to direct the 1st and 2nd respondents to release the ESI Pension amount and other monetary benefits of the deceased V.Ramar (E.S.I.No.10751471) to the Petitioner's Family members accrued with the interest in accordance with law as stipulated time fixed by this Court.

For Petitioner

: Mr.S.A.Ajmalkhan

For R1 & R2

: Mr.P.Ganapathysamy

ORDER

Heard Mr.S.A.Ajmalkhan, Learned Counsel for the Petitioner and Mr.P.Ganapathysamy, Learned Government Advocate appearing for the First and Second Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. When it is pointed out by the Learned Government Advocate appearing for the First and Second Respondents that the Petitioner has got an effective alternative remedy to challenge the impugned order by way of an application under Section 75 of the Employees' State Insurance Act, 1948, before the Employees' State Insurance Court, Learned Counsel for the Petitioner seeks permission of this Court to withdraw this Writ Petition with liberty to resort to the



aforesaid procedure. He has also filed a memo dated 22.06.2021 to that effect, which is placed on record.

3. Accordingly, this Writ Petition is dismissed as withdrawn granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 21.03.2016 till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Deputy Director(Claims)
ESI Corporation,
Sub - Regional Office (Madurai)
2nd West Street, K.K.Nagar,
Madurai-625 020.
- 2.The Manager,
ESI Corporation Local Office,
Natham Road, Dindigul-624 003.
- 3.The Management,
M/s.Annamalaiyar Mills Ltd.,
Madurai Road, Begambur Post,
Dindigul-624 002.

Copy to:

R.Mahalakshmi
W/o.Late.V.Ramar
No.133, Nadu Street,
Poochinaickenpatty,
Begambur Post,
Dindigul-624 002.

<https://hcservices.ecourts.gov.in/hcservices/>



+1 CC to M/s.S.A.AJMAL KHAN, Advocate (SR-20241[F] dated 25/06/2021)

WEB COPY

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and

W.M.P (MD)No.5122 of 2016
23.06.2021

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