



W.P.No.22824 of 2022
and W.M.P.No.21856 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

W.P.No.22824 of 2022
and
W.M.P.No.21856 of 2022

M/s.Jayapradha Theatre,
No.38, General Patterns Road,
Anna Salai, Chennai - 600 002,
Represented by its Partner
Mr.Raja Babu

... Petitioner

Vs.

1.The Director General,
Employees State Insurance Corporation,
Panchdeep Bhavan Comrade,
Indrajeet Gupta Marg, New Delhi - 110 002.

2.The Regional Director,
Regional Office (Tamil Nadu),
Employees State Insurance Corporation,
Punchdeep Bhavan,
No.143, Sterling Road,
Chennai - 600 034.

3.The Deputy Director,
Regional Office (Tamil Nadu),
Employees State Insurance Corporation,
Punchdeep Bhavan,



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No.143, Sterling Road,
Chennai - 600 034.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider all the petitioner's representations including the representation dated 04.02.2011, and decide the claim of the petitioner under the Amnesty Scheme 2008 extended till 2011 or 2014 issued by the respondents.

For Petitioner : Mr.Vishnu Mohan

For Respondents : Mr.G.Bharadwaj

ORDER

When the matter is taken up for hearing today, learned counsel appearing for the writ petitioner contended that subsequent to the filing of the writ petition the learned II Metropolitan Magistrate, Egmore, Chennai, convicted and sentenced the writ petitioner (fourth accused in all calendar cases) as detailed hereunder :

<i>S. No</i>	<i>Calendar Case</i>	<i>Offence</i>	<i>Conviction</i>	<i>Sentence</i>
1	C.C.No.745/2005	Section 85(a), 85(i) (b) of Employees State Insurance Act	u/s.255(2) Cr.P.C.	Six months simple imprisonment, and to pay a fine of Rs.5,000/-. Out of which Rs.3,000/- is to paid to the complainant for compensation under Section



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S. No	Calendar Case	Offence	Conviction	Sentence
				357(i) Cr.P.C. in default, to undergo three months imprisonment. All the accused shall pay contribution of Rs.52,982/- to the complainant.
2	C.C.No.746/2005	Section 85(a), 85(i) (b) of Employees State Insurance Act	u/s.255(2) Cr.P.C.	Six months simple imprisonment, and to pay a fine of Rs.5,000/-. Out of which Rs.3,000/- is to paid to the complainant for compensation under Section 357(i) Cr.P.C. in default, to undergo three months imprisonment. All the accused shall pay contribution of Rs.8,17,794/- to the complainant.
3	C.C.No.748/2005	Section 85(e), 85(ii) of Employees State Insurance Act	u/s.255(2) Cr.P.C.	To pay a fine of Rs.4,000/-. Out of which Rs.3,000/- is to paid to the complainant for compensation under Section 357(i) Cr.P.C. in default, to undergo one month simple imprisonment.



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2. His contention is that nothing survives for further adjudication as the Writ Petition has become infructuous. Recording the submissions of the learned counsel for the writ petitioner the writ petition is dismissed. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

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Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl



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