



W.P.(MD)No.13987 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.13987 of 2020
W.M.P(MD).No.11640 of 2020

V.Arockia Manuel Rajan

Vs.

... Petitioner

1.The Deputy Director,
Employees State Insurance Corporation,
Panchdeep Bavanam,
ESI Complex,
Salai Street,
Vannar Pettai,
Tirunelveli-627 003.

2.Recovery Officer,
Employees State Insurance Corporation,
Panchdeep Bavanam,
ESI Complex,
Salai Street,
Vannar Pettai,
Tirunelveli-627 003.

3.The Inspector,
Employees State Insurance Corporation,
Panchdeep Bavanam,
ESI Complex,
Salai Street,



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Vannar Pettai,
Tirunelveli-627 003.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to decide the insurance premium amount if any with regard to the petitioner insurance coverage number 660031390000704 after conducting proper enquiry and giving the petitioner opportunity to defend the petitioner side within a stipulated time as directed by this Court by considering the petitioner representation dated 17.08.2020.

For Petitioner	: Mr.S.R.Anbarasu
For Respondents	: Mr.I.Pinaygash for R1 to R3

ORDER

This writ petition has been filed for a direction to the respondents to decide the insurance premium amount, if any, with regard to the petitioner insurance coverage No.660031390000704, after conducting proper enquiry and giving the petitioner opportunity to defend his side within a stipulated time fixed by this Court by considering the



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petitioner's representation dated 17.08.2020.

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2. The case of the petitioner is that the petitioner was conducting transport business at Vallioor from the year 2009. In the year 2011, the petitioner business was closed due to heavy loss in the transport business and the petitioner has duly intimated the closure of his business to the respondents and settled the arrears of Rs.55,000/-. However, the second respondent herein issued an order to all the bank managers to freeze the account of the petitioner claiming huge amount of Rs.11,00,000/- (Rupees Eleven Lakhs only). Objecting the same, the petitioner has made a representation to the respondents on 17.08.2020. However, no order has been passed till date. Hence the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the second respondent is directed to dispose of the representation of the petitioner, dated 17.08.2020, on merits and in accordance with law, within a specified period.



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4. The learned counsel appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to consider the petitioner's representation, dated 17.08.2020 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

20.01.2023

ssb

NCC:Yes/No

Index:Yes/No

Internet:Yes/No



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M.DHANDAPANI,J.

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