



W.P(MD)No.13632 of 2015

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13632 of 2015

and

M.P(MD)No.2 of 2015

M/s.Nehru Vidyalaya Nursery &
Primary School,
Represented by its
Correspondent A.Jesudoss,
S/o.Arokiadoss,
Uppudodai,
Rajagopalapuram,
Thadicombu,
Dindigul District.

... Petitioner

Vs

1.The State represented by
The Principal Secretary,
Labour and Employment Department,
Fort St.George,
Chennai – 600 009.

2.E.S.I – Regional Corporation (Tamil Nadu),
Represented by its Regional Director,
143, Sterling Road,
Chennai – 600 034.



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3.E.S.I – Sub Regional Office (Madurai),
Represented by its Deputy Director,
2nd West Street,
K.K.Nagar,
Madurai – 20.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned G.O(Ms)No.237 Labour and Employment (K1) dated 26.11.2010 passed by the first respondent and the consequential proceedings of the third respondent dated 16.07.2015 in Code No. 57000730880001301/cp/152111/718/15 and quash the same in respect of the petitioner school.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R.1

Mr.I.Pinaygosh
Standing Counsel for R.2 & R.3

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Additional Government Pleader for the first respondent and the learned Standing Counsel appearing for the E.S.I Corporation.

2. The E.S.I Corporation raised the impugned demand on the petitioner.

The petitioner has challenged the impugned Government Order issued by the



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Government whereby the ESI scheme was extended to private educational institutions also. Based on the impugned Government Order, ESI Corporation raised demand for recovering contribution from the petitioner. Challenging the same, the present writ petition came to be filed.

3. During the intervening period, the impugned Government Order has already been upheld. Hence this writ petition is dismissed. However, the petitioner is permitted to clear their liability in three equal monthly installments. The first installment shall commence on **01.10.2023**. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

31.08.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Principal Secretary,
Labour and Employment Department,
Fort St.George,
Chennai – 600 009.

2.The Regional Director,
E.S.I – Regional Corporation (Tamil Nadu),
143, Sterling Road,
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3.The Deputy Director,
E.S.I – Sub Regional Office (Madurai),
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