



W.P.No.5441 of 2024
and W.M.P.No.6008 of 2024

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2024

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

W.P.No.5441 of 2024
and
W.M.P.No.6008 of 2024

Sunrich Interior,
Rep. by its Proprietor,
Mr.Ayyanar, No.243, Z-Block,
1st Street, Anna Nagar,
Chennai - 600 040.

... Petitioner

Vs.

1. Recovery Officer,
Employees State Insurance Corporation,
Regional Office, Chennai.

2.The Deputy Director,
Regional Office (Tamil Nadu)
Employees State Insurance Corporation,
Panchdeep Bhavan,
143, Sterling Road,
Chennai - 600 034.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 & 2 to issue/serve the original copies of the impugned proceedings relating to Ref.No.TN/RECY/45G/1551000902000000901 dated 27.06.2023 in respect of proprietorship concern namely M/s.Sunrich Interior for the period enabling the petitioner to file statutory appeal under the ESI Act.

For Petitioner : Mr.H.S.Mohammed Rafi
For Respondents : Mr.G.Bharadwaj, Standing Counsel

ORDER

By consent, this Writ Petition is taken up for final hearing at the admission stage itself.

2.The learned counsel appearing for the petitioner submits that for want of the original orders in the proceedings leading up to the attachment order, the statutory remedies under the ESI Act were not availed by the petitioner. He further submits that the petitioner personally visited the respondents office and requested for the copies of the earlier proceedings but as the respondent did not respond, the petitioner was



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constrained to file the present writ petition for the aforesaid relief.

3.The learned counsel for the petitioner submits that because of the attachment order the petitioner is not able to operate the account which is causing untold hardship to him.

4.The learned counsel for the respondents submits that there are various orders passed against the petitioner and that the copies cannot be furnished to him unless the petitioner makes a formal request for the same.

5.Considering the facts and circumstances of the case, the petitioner is directed to deposit 25% of the amount demanded under the attachment order i.e. a sum of Rs.1,00,000/- within a period of two weeks from the date of receipt of a copy of this order. On such deposit being made, the petitioner shall make a formal request to the respondents to serve the original copies of the orders passed by them. The respondents shall thereafter furnish the original copies of the various orders passed by



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them and also pass orders lifting the attachment order.

6.Accordingly, the Writ Petition is disposed of. There shall be no order as to 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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N.MALA, J.

mtl

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