



W.P.No.22818 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2024

CORAM:

**THE HONOURABLE MRS. JUSTICE R.KALAIMATHI**

**W.P.No.22818 of 2014**  
**and**  
**M.P.Nos.1 and 2 of 2014**

Tamil Nadu TASMAL Paniyalargal Sangam,  
represented by its State Secretary,  
Mr.D.Dhanasekaran,  
S/o.Dhakshinamoorthy,  
C/o.No.2/25, Kovoor Vaithyanathan Street,  
Chinthadripet,  
Chennai-600 002. ... Petitioner  
**Vs.**

1.Tamil Nadu State Marketing  
Corporation Ltd., (TASMAL),  
rep.by its Managing Director,  
CMDA Tower – II, 4<sup>th</sup> Floor,  
Gandhi Irwin Bridge Road,  
Egmore,  
Chennai-600 008.

2. The Secretary to Government,  
Labour & Employment (L1) Department,  
Fort St.George,  
Chennai-600 009.

3. Employees' State Insurance Corporation,  
represented by its Regional Director,  
Tamil Nadu Region,  
No.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 Certiorarified Mandamus to call for the records on the file of the 2<sup>nd</sup> Respondent in connection with the Government Order viz., G.O.(D) No.9 dated 09.01.2006 passed under Section 91 read with 91A of E.S.I.Act and quash the same and consequently, direct the respondents to provide facilities available under ESI Act to the employees of TASMACH.

For Petitioner : Mr.M.Padmanabhan

For Respondents : Mr.K.Sathishkumar [R1]  
Standing Counsel

Mrs.C.Sangamithirai[R2]  
Special Government Pleader

Mr.C.V.Ramachandramurthy[R3]

### **ORDER**

The petitioner herein namely Tamil Nadu TASMACH Paniyalargal Sangam, represented by its State Secretary, has filed this writ petition to call for the records on the file of the 2<sup>nd</sup> Respondent in connection with the Government Order viz., G.O.(D) No.9 dated 09.01.2006 passed under Section 91 read with 91A of E.S.I.Act and quash the same and also consequently direct the Respondents to provide facilities available under ESI Act to the employees of TASMACH.

2. Heard Mr.M.Padmanabhan, learned counsel appearing for the



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petitioner and Mr.K.Sathishkumar, learned Standing Counsel for the 1<sup>st</sup> respondent and Mrs.C.Sangamithirai, learned Special Government Pleader appearing for the 2<sup>nd</sup> respondent and Mr.C.V.Ramachandramurthy, learned counsel appearing for the 3<sup>rd</sup> respondent.

3. As per G.O.(D) No.9 dated 09.01.2006, the exemption period is 29.11.2003 to 30.09.2006. The effect is that the Tamil Nadu State Marketing Corporation Ltd., Chennai, is exempted from the provisions of the said Act for the said period.

4. As the period is exempted as mentioned supra, nothing survives for further adjudication in this writ petition.

5. Accordingly, this writ petition stands dismissed, granting liberty to the petitioner to make objections before the State Government. No costs. Consequently, connected miscellaneous petitions are closed.

**26.04.2024**

Index : Yes / No  
Internet : Yes / No  
Neutral Citation Case : Yes / No  
Speaking Order / Non-Speaking Order



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To

1. The Managing Director,  
Tamil Nadu State Marketing  
Corporation Ltd., (TASMAC),  
CMDA Tower – II, 4<sup>th</sup> Floor,  
Gandhi Irwin Bridge Road,  
Egmore,  
Chennai-600 008.
2. The Secretary to Government,  
Labour & Employment (L1) Department,  
Fort St.George,  
Chennai-600 009.
3. The Regional Director,  
Employees' State Insurance Corporation,  
Tamil Nadu Region,  
No.143, Sterling Road,  
Chennai-600 034.

**R.KALAIMATHI, J.,**

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