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W.P.No.22825 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE R.KALAIMATHI

W.P.No.22825 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, 4th 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 2nd Respondent in connection with the Government Order viz., G.O.(D) No.431 dated 26.09.2012 for the period from 01.10.2012 to 30.09.2013 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

Mr.S.Rajesh[R2]
Government Advocate

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 2nd Respondent in connection with the Government Order viz., G.O.(D) No.431 dated 26.09.2012 for the period from 01.10.2012 to 30.09.2013 and quash the same and 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 1st respondent and Mr.S.Rajesh, learned Government Advocate appearing for the 2nd respondent and Mr.C.V.Ramachandramurthy, learned counsel appearing for the 3rd respondent.

3. As per G.O.(D) No.431, dated 26.09.2012, the exemption period is 01.10.2012 to 30.09.2013. 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

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Tamil Nadu State Marketing
Corporation Ltd., (TASMAC),
CMDA Tower – II, 4th 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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