



W.P.(MD)No.1573 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.12.2024

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.1573 of 2019 &
W.M.P.(MD)No.1356 of 2019

M/s.Pathinen Siddhar Nursery & Primary School,
Rep. by its Correspondent,
Mr.R.Muthurakamoorthi,
No.1, Thirugnana Samnamdar Street,
Kaleeswara Football Ground West,
Kalanivasal, Karaikudi,
Sivagangai District.

...Petitioner

vs.

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Labour and Employment Department,
Secretariat, Fort St.George,
Chennai - 600 009.
- 2.The Employees' State Insurance Regional Corporation,
Rep. by its Regional Director,
143, Sterling Road,
Chennai - 600 034.
- 3.The Sub Regional Office (Madurai)
Employees' State Insurance Corporation,
Rep. by its Deputy Director,
2nd West Street, K.K.Nagar,
Madurai - 625 020.



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4.The Assistant Director,
Sub Regional Office (Madurai)
Employees' State Insurance Corporation,
2nd West Street, K.K.Nagar,
Madurai - 625 020.

5.The Recovery Officer,
Sub Regional Office (Madurai)
Employees' State Insurance Corporation,
2nd West Street, K.K.Nagar,
Madurai - 625 020.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorarified mandamus calling for the records relating to the impugned demand notice in No. 57000740050001301/6162015251, 1217/14 dated 16.06.2018 issued by the fourth respondent and the consequential recovery proceedings initiated by the fifth respondent in No.SRO/MDU/RRC/57/74005/1301, dated 02.01.2019 and quash the same as illegal and further direct the respondents 4 and 5 herein to pass appropriate orders after giving sufficient opportunity to the petitioner school.

For Petitioner : Mr.A.L.Kannan

For Respondents : Mr.P.Thambidurai,
Government Advocate for R1

Mr.P.Ganapathisamy,
for R2 to R5



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ORDER

When the matter is taken up for hearing today, the learned counsel appearing for the petitioner seeks leave of this Court to withdraw this petition and challenge the impugned order before the Employees' Insurance Court.

2. In view of the same, this Writ Petition is dismissed as withdrawn with a liberty to the petitioner to file an application before the Employees' Insurance Court within a period of 30 days from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

11.12.2024
(1/2)

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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To

1.The Principal Secretary to Government,
Labour and Employment Department,
Secretariat, Fort St.George, Chennai - 600 009.



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KRISHNAN RAMASAMY, J.

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