



WEB COPY



W.P.No.7253 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7253 of 2025

And

W.M.P.No.8068 of 2025

J.Varghese

... Petitioner

Vs.

1.The Recovery Officer,
ESI Corporation,
Panchdeep Bhavan,
No.143, Sterling Road,
Chennai – 600 034.

2.The Deputy Director,
ESI Corporation,
Panchdeep Bhavan,
No.143, Sterling Road,
Chennai – 600 034.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records on the file of the second respondent order dated 05.01.2022 vide No.TN/Ins.IV/51-00-119688-000-0199 and quash the same and direct the second respondent to pass orders afresh after affording the petitioner an opportunity of hearing.

1/4



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W.P.No.7253 of 2025

For Petitioner : M/s.R.Saritha
For Respondents : Dr.C.Paranthaman for ESI

ORDER

Dr.C.Paranthaman, learned counsel takes notice on behalf of the respondent. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records on the file of the second respondent order dated 05.01.2022 vide No.TN/Ins.IV/51-00-119688-000-0199 and quash the same and direct the second respondent to pass orders afresh after affording the petitioner an opportunity of hearing.

3.Though the writ petition has been filed seeking a larger relief, the learned counsel appearing for the petitioner now submitted that, as against the impugned order passed by the second respondent, there is an effective appeal remedy available before the appellate authority under Section 45AA of the ESI Act. Hence, the learned counsel prays that, this Court may grant the above liberty to the petitioner.



W.P.No.7253 of 2025

4.In view of the above submissions made by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned order, grants liberty to the petitioner to prefer an appeal before the appellate authority in the manner known to law.

5.The writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

03.03.2025

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Note: Registry is directed to return the original impugned order to the learned counsel appearing for the petitioner so as to enable the petitioner to prefer appeal.

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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Chennai – 600 034.

2.The Deputy Director,
ESI Corporation,
Panchdeep Bhavan,
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Chennai – 600 034.

3/4



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M.DHANDAPANI,J.
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