



WEB COPY



W.P.No.10412 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.06.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 10412 of 2021

&

W.M.P.No. 11009 of 2021

Anita Methodist Matriculation Higher Secondary School,

Rep. by its Correspondent,

5 & 6 Ritherdon Road, BKN Avenue,

Veperiy, Chennai – 600 007.

...Petitioner

Vs.

1.The Government of Tamil Nadu,
represented by its Principal Secretary,
Labour and Employment Department,
Fort St, George, Chennai – 600009.

2.ESI – Regional Corporation (Tamil Nadu)
Represented by its Regional Director,
Additional Commissioner, Authorised Officer,
143, Sterling Road,
Chennai – 600 034.



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3.ESI – Regional Corporation (Tamil Nadu),
Represented by its Deputy Director,
143, Sterling Road,
Chennai – 600 034.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to dated 12.03.2021 in No.51-00-110398-000-1302/Ins – 8, on the file of the 2nd respondent and the subsequent notice dated 12.03.2021 in No.51-00-110398-000-1302/Ins-8, on the file of the 3rd respondent, in respect of the petitioner School and quash the same, directing the respondents to waiver of arrears of interest and damages u/s 91C of ESI Act, 1948, in terms of the order dated 29.07.2020 of the Full Bench of this Court in the batch of Writ Petitions in WP.No.34236 of 2019.

For Petitioner : Dr. Fr. A.Xavier Arulraj,
Senior Counsel
For M/s. A. Arul Mary

For Respondent 1: Mr. M.Murali



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Government Advocate

For Respondents : Mr. S.P.Srinivasan
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ORDER

The above Writ Petition has been filed for the following relief:

“To call for the records dated 12.03.2021 in No.51-00-110398-000-1302/Ins – 8, on the file of the 2nd respondent and the subsequent notice dated 12.03.2021 in No.51-00-110398-000-1302/Ins-8, on the file of the 3rd respondent, in respect of the petitioner School and quash the same, directing the respondents to waiver of arrears of interest and damages u/s 91C of ESI Act, 1948, in terms of the order dated 29.07.2020 of the Full Bench of this Court in the batch of Writ Petitions in WP.No.34236 of 2019.”

2. Today, when the matter was called the learned senior counsel appearing on behalf of the petitioner would submit that the entire



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arrears of contribution has been paid and waiver has been granted by the respondents with reference to payment of damages. What remains to be paid is only the interest of Rs.28,93,871/-.

3. The learned senior counsel would submit that the petitioner is ready to pay the aforesaid sum in 10 equated monthly installments commencing from this month. The learned counsel appearing for the respondent corporation has no objection since similar order for equated installments has been passed in W.P.No.21335 of 2021.

4. Therefore, without delving into the merits of the case the Writ Petition is disposed of permitting the petitioner to pay the interest of a sum of Rs.28,93,871/- in 10 equated monthly installments commencing from June 2025. It is needless to state that this amount shall be in addition to the contributions that are regularly paid.

5. The Writ Petition is disposed off with the above directions. Consequently, the connected miscellaneous petition is closed. No



costs.

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Index : Yes/No
Internet : Yes/No
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To

1.The Government of Tamil Nadu,
represented by its Principal Secretary,

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Labour and Employment Department,
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P.T. ASHA, J,

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