



W.P.No.12008 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.12008 of 2025

and

W.M.P.No.13579 of 2025

Greedam, SHG,
6-E, Puthu Street,
Kitchipalayam,
Salem – 636 015,

Represented by its head Mrs.T.Kokila

... Petitioner

Vs.

1.The Joint Director,
Sub-Regional Office,
Employees State Insurance Corporation,
ESI Corporation, 39/57, Three Roads,
Salem – 636 009.

2.The Recovery Officer,
Sub-Regional Office,
Employees State Insurance Corporation,
ESI Corporation, 39/57, Three Roads,
Salem – 636 009.

3.The Branch Manager,
State Bank of India,
Car Street,
Salem – 636 001.

... Respondents



W.P.No.12008 of 2025

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent to defreeze the bank account No.37993104030 in the name of Greedam and account No.3798572251 in the name Kokila considering the representation of the petitioner dated 06.01.2025.

For Petitioner : Mr.Dinesh Kumar

For Respondents : Mr.K.Siddharth [R1 & R2]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Mandamus, to direct the respondent to defreeze the bank account No.37993104030 in the name of Greedam and account No.3798572251 in the name Kokila considering the representation of the petitioner dated 06.01.2025.

2. Since no adverse order has been passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

3. Mr.K.Siddharth, learned counsel, accepts notice on behalf of the respondents 1 and 2. In view of the consent expressed by the learned



W.P.No.12008 of 2025

counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that, it is a temporary self-help group (SHG) formed under government schemes and that its members are dailiy wage earners and not employees of any establishment to make ESIC contributions. The provisions of the ESIC Act is not applicable to SHG as they are only temporary members and without jurisdiction. While the facts remain so, the respondents have frozen the SHG's bank accounts for non-payment of ESIC contributions from 2018 – 2021. The members of the petitioner group, who are daily wagers are severely affected of their livelihood. Further, the bank account of the petitioner has been freezed without any notice to the petitioner. Therefore, the petiitoner has made representation before the 1st respondent. Since the same has not been considered, the petitioner has filed this writ petition.

5. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues a direction to the 1st respondent to defreeze the bank account in the name of Greedam and Kokila by considering the



W.P.No.12008 of 2025

representation of the petitioner dated 06.01.2025, within a time frame

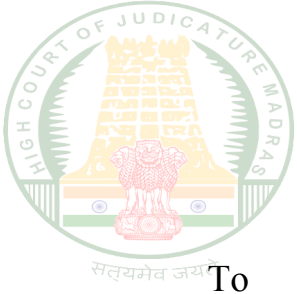
WEB COPY that may be stipulated by this court.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the case, directs the 1st respondent to consider the representation of the petitioner dated 06.01.2025 on merits and in accordance with law and pass appropriate orders, within a period of four (4) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

04.04.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
sp



W.P.No.12008 of 2025

To
WEB COPY

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W.P.No.12008 of 2025

M.DHANDAPANI, J.

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W.P.No.12008 of 2025

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