



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 07.04.2025

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.12339 of 2025

Vallalar, SHG

115, Muniappan Kovil Street,

Kitchipalayam, Salem,

Rep. By its head Mrs.S.Shanthi

... 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-1.

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents to defreeze the bank account No.38007855197 in the name of Vallalar SHG considering the representation of the petitioner dated 06.01.2025.

For Petitioner : Ms. M. Rinsup Kumar.V

For Dinesh Kumar.V

For Respondents : Mr.C.Bharadwaj RR1 & 2

ORDER

The Writ petition has been filed seeking a direction to the respondents to defreeze the bank account No.38007855197 in the name of Vallalar SHG considering the representation of the petitioner dated 06.01.2025.

2. The case of the petitioner is that the petitioner is a temporary self help Group formed under Government schemes and that its members are daily wagers and not employees of any establishment to make ESIC contributions. The provisions of the ESIC Act is inapplicable 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 without any notice to the petitioner. The petitioner also has not received any ESIC benefits for the amount already paid by the Corporation. Aggrieved by the act of the



respondent, the present writ petition has been filed.

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3. The learned counsel for the petitioner submitted that this Court may direct the respondents to consider and pass orders on the petitioner's representation dated 06.01.2025 within the stipulated time as fixed by this Court.

4. The learned counsel for the respondents submitted that the petitioner has not submitted the representation so far. Hence, this Court may direct the petitioner to make a fresh representation to the respondents.

5. Heard the learned counsel for the petitioner as well as the respondents 1 & 2 and perused the materials available on record.

6. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this Court directs the petitioner to make a fresh representation along with all the relevant documents and also a copy of this order to the second respondent within a period of two weeks from the date of receipt of a copy of this order. Upon



receipt of the same, the second respondent shall consider and pass orders on the petitioner's representation within a period of four weeks thereafter.

7. With the above direction, the writ petition stands disposed of. No costs.

07.04.2025

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To

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.



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M.DHANDAPANI,J.

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