



WEB COPY

WP No. 19281 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 19281 of 2021

and

WMP Nos.20591 and 20594 of 2021

M/s.SRV Boys Higher Secondary School
Rep. by its Secretary and Correspondent,
Mr.P.Swaminathan, Muthukalipatti,
Rasipuram- 637 401, Namakkal District.

Petitioner(s)

Vs

1. M/s.Employees State Insurance Corporation,
(Ministry of Labour and Employment,
Government of India),
Rep. by its Deputy Director,
Sub Regional Office (Salem), No.39/57,
Theerthamalai Vaniga Valagam,Salem- 636 009.

2.The Recovery Officer
M/s. Employees State Insurance Corporation
(Ministry of Labour and Employment,
Government of India),
Sub Regional Office (Salem), No.39/57,
Theerthamalai Vaniga Valagam,Salem- 636 009.

Respondent(s)

Writ petition is filed under Article 226 of the Constitution of India, pleaded to issue Writ of Certiorarified Mandamus, calling for the records on the file of the first respondent relating to the order dated 18.02.2021 passed in No.63000942660001302/ INS1/ SRO/ SLM/ 982/ 18 for the period from 01.02.2014 to 31.01.2019, another order dated 18.02.2021 passed in No. 63000942660001302/ INS1/ SRO/ SLM/ 286/ 20 dated 14.07.2021 for the



period from 01.02.2019 to 31.01.2021 under section 45-A of the Employees State Insurance Act, 1948 and the Garnishee order dated 27.08.2021 passed by the second respondent in No. SLM/ RECY/ 45 (G) / 63- 000- 94266- 000- 1302 and quash the same with consequential direction directing the respondents to waive or write off the entire arrears towards ESI contribution under section 91-C of the ESI Act in the light of the judgement of Full Bench of this Hon'ble Court dated 29.07.2020 passed in W.P.No.34236 of 2019 and Batch cases reported in 2020 (5) CTC 93 by considering the representation of the petitioner dated 24.08.2021.

For Petitioner(s): Mr.S.Senthil

For Respondent(s): Mr.G.Bharadwaj,

ORDER

Writ petition is filed for Writ of Certiorarified Mandamus, to call for the records of the 45-A order dated 18.02.2021, of the 1st respondent and the Garnishee order dated 27.08.2021, of the 2nd respondent, to quash the same and consequentially directing the respondents to waive the entire arrears towards ESI contribution under Section 91-C of the ESI Act, 1948, in the light of the Full Bench judgment of this Court dated 29.07.2020, by considering the petitioners representation dated 24.08.2021.

2. When the matter was takenup for hearing, the learned counsel for the petitioner submitted that the petitioner received a letter from the respondent corporation on 25.09.2025, inviting the petitioner to settle the matter out of Court by availing the Amnesty Scheme, 2025. The learned counsel further



submitted that for availing Amnesty Scheme, the petitioner is bound to take the permission of this Court, and therefore, sought for permission.

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3. In view of the submissions of the learned counsel for the petitioner, the petitioner is permitted to settle the matter out of Court, under the Amnesty Scheme 2025. The petitioner is granted liberty to approach this Court depending on the out come of the settlement under the Amnesty Scheme, 2025.

Writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

dsn/AP

18-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

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1.M/s.Employees State Insurance Corporation,
(Ministry of Labour and Employment,
Government of India), Rep by its
Deputy Director, Sub Regional Office
(Salem) No.39/57, Theerthamalai
Vaniga Valagam, Salem- 636 009.

2.The Recovery Officer,
M/s. Employees State Insurance
Corporation (Ministry of Labour and
Employment, Government of
India),Sub Regional Office (Salem)
No.39/57, Theerthamalai Vaniga
Valagam,Salem- 636 009.



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N.MALA J.
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