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WP No. 25444 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2025

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THE HONOURABLE MR.JUSTICE K. SURENDER

**WP No. 25444 of 2025
and WMP.Nos.28602 & 28604 of 2025**

M/s.DSA Facility Management and Services
Rep By Its Proprietor Suresh Minu,
Having Office At Door No.11, Plot No.40,
Kamakodi Nagar, 3rd Street,
Narayanapuram , Pallikaranai,
Chennai- 600 100.

Petitioner(s)

Vs

1. The Deputy Director
Employees State Insurance
Corporation, No.143, Sterling Road,
Nungambakkam, Chennai- 34.

2.Recovery Officer
ESI Corporation, Chennai- 34.

Respondent(s)

PRAYER

This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to call for the records relating to order in Reference NO. 51001286040000999/ CP / 651021 dated 21.02.2025 passed by the Respondent No.2 and Order No. TN / Ins.VIII/ 51- 00- 128604-000- 0999/C19 dated 18.02.2025 passed by the Respondent No.1 and to quash the above orders and to direct the Respondents to conduct re- enquiry



providing the petitioner an opportunity to appear before the Respondents and to further direct the Respondents to defreeze the bank account of the petitioner bearing Account NO. 50200041535147 maintained with HDFC bank, Ramanujan IT SEZ Branch, Neville Block, Rajiv Gandhi Salai, Taramani, Chennai- 600 113.

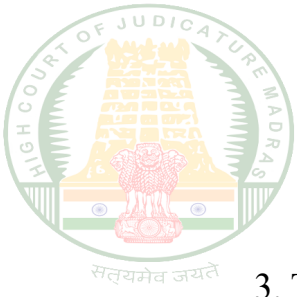
For Petitioner(s): Mr.Ravindran Vekatachalapathy

For Respondent(s): M/s.Subharajani Standing Counsel for R1 & R2

ORDER

This Writ Petition is filed seeking quashment of the orders passed by the respondent No.1 vide order No. TN / Ins.VIII/ 51- 00- 128604- 000- 0999/C19 dated 18.02.2025 and Respondent No.2, vide Reference No.51001286040000999 / CP / 651021 dated 21.02.2025 and for a direction to the respondents to conduct a re-enquiry providing the petitioner an opportunity to appear and to defreeze the petitioner's bank account maintained with HDFC Bank.

2. The main contention of the petitioner is that the they were not put on notice and the impugned order were passed without their knowledge. The petitioner claims that the firm did not conduct any business during the relevant period and the employees were not working during that time.



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3. The learned counsel appearing for the ESIC submits that the notice sent in 2022 was returned with an endorsement “unclaimed” which implies proper service of notice. Further, personal notice was served to the petitioner/employees in February 2025.⁷

4. Considering, the petitioner's undertaking to deposit the entire amount claimed under the impugned notice, this Court deems it appropriate to direct the respondent to consider the claim made by the petitioner and pass order accordingly in the manner known to law.

5. The petitioner shall deposit an amount of Rs.204575/- within a period of two weeks from the date of receipt of copy of the order. Upon such deposit, the account of the petitioner bearing Account No5020004153514 maintained with HDFC Bank, Ramanujam IT SEZ Branch, Neville Block, Rajiv Gandhi Salai, Taramani, Chennai-600 113 shall be defreezed.



6. With the above observation and direction, this Writ Petition is disposed

of. No costs. Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

Neutral Citation: Yes/No

To

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K.SURENDER J.

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