



WEB COPY

WP No. 25312 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-08-2025

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THE HONOURABLE MR.JUSTICE K. SURENDER

**WP No. 25312 of 2025
and WMP.Nos.28498 & 28500 of 2025**

M/s.Niviya Enterprises
Represented By Its Proprietor, Prabu S/o
Ganesan No 3/803, Bangalore Main Road,
Caparo Opposite, Thirumangalam,
Kancheepuram 602 106

Petitioner(s)

Vs

1. The Deputy Director
ESI Corporation, Panchadeep Bhawan,
No 143, Sterling Road, Chennai 600
034

2.The Recovery Officer
ESI Corporation, No 143, Sterling
Road, Chennai 600 034

3.The Branch Manager
State Bank Of India, 220/1a Chennai
Tiruvallur High Road,
Sunguvarchathiram, Tamil Nadu 602
106

Respondent(s)



PRAYER: This Writ Petition is filed seeking Writ of Certiorarified Mandamus to call for the entire records in pursuant to the Impugned order in proceedings No TN / INs-I / C18 / Adh / 51-00-124682 - 000- 1001 dated 19.10.2020 passed by the 1st Respondent under section 45A of the ESI Act, 1948 and consequential impugned Attachment order No TN / RECY / 45G / 51001246820001001 / CCR No 100790, 122076 dated 08.01.2025 passed by the 2nd respondent and quash the same and consequently, direct the 1st Respondent to conduct a fresh enquiry under section 45 of Employees state Insurance Act 1948 by providing an opportunity to the petitioner and further permit the petitioner to operate its bank accounts linked with the PAN No CTQPP6382M.

For Petitioner(s): Mr.A.Deivasigamani

For Respondent(s): Mr.S.P.Srinivasan for R1 & R2
M/S.K.CHANDRASEKARAN FOR R3

ORDER

The Writ Petition is filed by the petitioner seeking quashment of the proceedings No TN / INs-I / C18 / Adh / 51-00-124682 - 000- 1001 dated 19.10.2020 passed by the 1st Respondent under section 45A of the ESI Act, 1948 and consequential impugned Attachment order No TN / RECY / 45G / 51001246820001001 / CCR No 100790, 122076 dated 08.01.2025 passed by the 2nd respondent and for consequential direction to the first respondent to conduct a fresh enquiry under Section 45 of Employees state Insurance Act 1948 by providing an opportunity to the petitioner and further permit the



petitioner to operate its bank accounts linked with the PAN No CTQPP6382M.

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2. The Writ Petitioner challenges the order passed under Section 45(A) of ESI Act, directing the recovery of amount of Rs.1,30,950/-. However, the learned counsel appearing for the respondent submits that the total outstanding amount is Rs.1,83,828/-, which is not disputed by the petitioner.

3. The learned counsel for the petitioner seeks a direction of this Court to permit the petitioner to pay the outstanding amount in a six equated monthly instalments.

4. Considering the submissions, this Court directs the petitioner to pay the outstanding amount of Rs.1,83,828/- in a six equated monthly instalments. The first instalment shall be paid on or before September 04, 2025, and the remaining instalments shall be paid on the first working day of every subsequent month. It is made clear that if the petitioner fails to pay two consecutive instalments, the respondent shall be at liberty to proceed against the



petitioner. Upon payment of the second instalment, the petitioner's account shall be defreezed.

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5. With the above directions, this Writ Petition is disposed of. No costs.

Consequently, all connected miscellaneous petitions are closed.

14-08-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Deputy Director

ESI Corporation Panchadeep Bhawan No
143, Sterling Road, Chennai 600 034

2. The Recovery Officer

ESI Corporation, No 143, Sterling Road,
Chennai 600 034

3. The Branch Manager

State Bank Of India, 220/1a Chennai
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K.SURENDER J.

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