



W.P.No.29192 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 29192 of 2025

&

W.M.P.Nos. 32753 & 32755 of 2025

M/s. Gangai Spinning Mills (Garments Division)

(Defunct From 01.12.2011)

Rep. by its Partner R.Mathiyalagan,

Residing at No.490/5, Kolinjikadu Thottam,

Sirupooluvapatti,

Tirupur – 641 603.

...Petitioner

Vs.

1.The Deputy Director,

Employees State Insurance Corporation,

Sub – Regional Office,

No.1897, Trichy Road,

Ramanathapuram,

Coimbatore – 641 045.



W.P.No.29192 of 2023

WEB COPY

2.The Recovery Officer,
Employees State Insurance Corporation,
Sub – Regional Office,
No.1897, Trichy Road,
Ramanathapuram,
Coimbatore – 641 045.

...Respondents

Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Certiorari, calling for the entire records in pursuant to the impugned Prohibitory Order No.CBE/RECY/CP-4/56001102530000106 dated 12.07.2024 issued by the 2nd respondent and quash the same

For Petitioner : Mr. A.R.Kuppusami

For Respondents : Mr. Rajaramani
Standing Counsel.



W.P.No.29192 of 2025

ORDER

WEB COPY

It is now brought to the notice of the Court by the learned Standing Counsel for the respondent corporation that the order under Section 45 A of the ESI Act dated 10.09.2020 has not been served on the petitioner and without service of this order the subsequent impugned order has been passed. Therefore, the orders are set aside and the xerox copy of the order under Section 45 A has now been served on the learned counsel appearing for the petitioner. The petitioner shall therefore file an appeal within a period of 2 weeks from the date of receipt of a copy of this order.

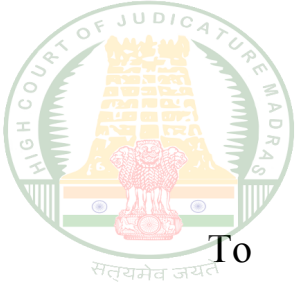
2. The Writ petition is allowed. Consequently, the connected miscellaneous petitions are closed. No costs.

07.08.2025

Index : Yes/No

Internet : Yes/No

kan



W.P.No.29192 of 2023

To

WEB COPY

1.The Deputy Director,
Employees State Insurance Corporation,
Sub – Regional Office,
No.1897, Trichy Road,
Ramanathapuram,
Coimbatore – 641 045.

2.The Recovery Officer,
Employees State Insurance Corporation,
Sub – Regional Office,
No.1897, Trichy Road,
Ramanathapuram,
Coimbatore – 641 045.



WEB COPY



W.P.No.29192 of 2025

P.T. ASHA, J

kan

W.P.No.29192 of 2025

07.08.2025