



WEB COPY

WP No.29765 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-08-2025

CORAM

THE HONOURABLE MR.JUSTICE K. SURENDER

WP No. 29765 of 2025

Kancheepuram District Consumer
Wholesale Stores Ltd., Rep. By Its Joint
Registrar, Having Registered Office At
No. 185, Kanchipuram District, Tamil
Nadu Rep. By Its Joint Registrar

Petitioner(s)

Vs

The Recovery Officer
Employees State Insurance
Corporation, Regional Office 143
Sterling Road, Nungambakkam
Chennai 34

Respondent(s)

PRAYER

This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Mandamus to permit the petitioner to remit the balance amount due under the Recovery Notice dated 15.07.2025 bearing reference Ref. no. TN/ RECY/ 45G/ 51000184350001099/ CCR- Various CCR by way of 35 equated monthly instalments commencing from the month of August 2025.

For Petitioner(s): Mr.P.Anbarasan



ORDER

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The petitioner has filed this Writ Petition seeking direction to the respondent to permit the petitioner to remit the balance amount as against the recovery notice dated 15.07.2025 bearing reference Ref.No.TN/RECY/45G/51000184350001099/CCR-Various CRR by way of 35 equated monthly instalments commencing from the month of August 2025.

2. As there is no dispute regarding the payment of amount, but only the petitioner's request for 35 equated monthly instalments, the Writ Petition is disposed of at the admission stage itself.

3. The brief facts of the case are that the petitioner is a cooperative society registered under Tamil Nadu Co-operative Societies Act, 1983 was formed for the purpose of implementing various public welfare measures and schemes of the Government of Tamil Nadu. In the course of its functioning, due to unforeseen financial constraints during the period 1994 to 2000, the petitioner cooperative society failed to contribute a sum of Rs. 94,31,176/- to the ESI



Corporation. Thereafter, the recovery officer of the Employees State Insurance

Corporation/ respondent issued a recovery notice directing the petitioner

society to pay entire outstanding amount within a period of six months.

4. The learned counsel for the petitioner submits that despite paying over Rs.30 lakhs, an outstanding amount of Rs.63,02,866/- remains. Following, a representation to the respondent, the petitioner made further payments of Rs.5 lakhs and Rs.5,50,480/-, reducing the outstanding to Rs.58,14,140/-. The learned counsel for the petitioner submits though very many grounds have been raised, it would suffice, if this Court issues direction to the respondent to permit the petitioner to remit outstanding amount of Rs.58,14,140/- by way of 35 monthly instalments.

5. Considering the fact that the petitioner society had deducted the amount from its employees' salaries but failed to deposit the same with the ESI Corporation, this Court is not inclined to accept the prayer of 35 equated monthly instalments. Instead, permits the petitioner to pay the outstanding



amount of Rs.58,14,140/- in 12 equated monthly instalments, starting from

October 03, 2025. The petitioner shall pay the remaining instalments on or

before 7th of every succeeding English Calender month, failing which, it is open

to the respondent to initiate appropriate action against the petitioner in

accordance with law. It is made clear that there shall be no further extension of

time for the petitioner society for remitting the outstanding amount.

6. With the above directions, this Writ Petition stands disposed of. No costs.

11-08-2025

Jai

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Recovery Officer

Employees State Insurance

Corporation, Regional Office 143

Sterling Road, Nungambakkam

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K.SURENDER, J.

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