



WEB COPY



W.P No. 29341 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2025

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**THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR**

**W.P No. 29341 of 2022**

**and**

**WMP.Nos. 28638, 28639 & 28641 of 2022**

St. Joseph's High School,  
Represented by its Correspondent,  
Susaipuram, Nungambakkam,  
Chennai-600034.

..Petitioner

Vs.

1. ESI – Regional Corporation (Tamil Nadu),  
Represented by its Regional Director,  
143, Sterling Road,  
Chennai-600034.

2. Employees' State Insurance Corporation,  
Represented by Deputy Director,  
143, Sterling Road,  
Chennai-600034.

3. The Recovery Officer,  
Office of the Recovery Officer,  
ESI Corporation,  
Panchdeep Bhawan,  
143, Sterling Road, Chennai-600034.



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4.The Bank Manager,  
Indian Overseas Bank,  
Mahalingapuram Branch,  
No.5, Scheme Road, Mahalingapuram,  
Chennai-600034.

..Respondents

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order to attachment dated 05.08.2022 in No.TN/RECY/45G/51 51001071190001302/CCR-106894-110234, on the file of the 3<sup>rd</sup> respondent and quash the same and consequently direct the respondents to withdraw the erroneous ESI Scheme to the teaching and non-teaching staff of the petitioner Aided School, and pass such further or other orders.

**For Petitioner :** Mr. Father Xavier Arul Raj, Senior Counsel

**For Respondents :** Mr. K.Prabakar

### **ORDER**

The captioned writ petition has been filed challenging the order dated 05.08.2022 passed under Section 45(G) of the Employees' State Insurance Act, 1948, by which an amount of Rs. 8,05,361/- is sought to be recovered as arrears towards ESI contribution.

2. The learned counsel for the respondent has placed on record a copy of the New Amnesty Scheme, 2025.



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3. Admittedly, the writ petitioner has not challenged the order passed under Section 45(A) of the ESI Act, 1948. Having accepted the said order, the petitioner-College cannot absolve itself of the liability to pay the said amount towards ESI contribution. Therefore, the captioned writ petition is devoid of merit and liable to be dismissed, as the impugned order has been passed strictly in conformity with Section 45(G) of the ESI Act, 1948.

4. In view of the above, the writ petition stands ***dismissed***. Consequently, the connected miscellaneous petitions are closed. No costs. However, liberty is granted to the petitioner to avail the benefits of the New Amnesty Scheme, 2025, dated 24.07.2025, issued by the ESI Corporation. In the event the petitioner avails the said scheme, the respondent shall consider the same on its own merits and in accordance with law.

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Index : Yes/No

Internet : Yes/No

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**HEMANT CHANDANGOUDAR, J.**

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