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WP No. 32090 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-08-2025

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THE HONOURABLE MR.JUSTICE K. SURENDER

**WP No. 32090 of 2025
in WMP.No.35976 of 2025**

M/s.Shabari Enterprises
No.2/680, J.H.Road, Sunguvarchatram,
Sriperumbudur, Kancheepuram-602
106 Rep. By Its Authorised Signatory.

Petitioner(s)

Vs

1. The Deputy Director
Employees State Insurance
Corporation, 143, Sterling Road,
Nungambakkam, Chennai-600 034.

2.The Recovery Officer
Employees State Insurance
Corporation, 143, Sterling Road,
Nungambakkam, Chennai-600 034.

3.The Branch Manager,
Axis Bank, Whitefiled Branch, First
Technology Place, No.3, EPIP Area,
Whitefield, Bengaluru-560 066

Respondent(s)



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This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Mandamus forbearing the 1st and 2nd respondent from proceeding any further in terms of the attachment notice issued by the 2nd respondent dated 28.07.2025 in proceedings No.TN/ RECY/ 45G/ 51530147810011001/ CCR NO.VARIOUS CCR and further permit the petitioner to remit the sum of Rs.21,31,907/- in 20 equated monthly instalments after adjusting the sum of Rs,3,02,468/- paid under the recovery notice.

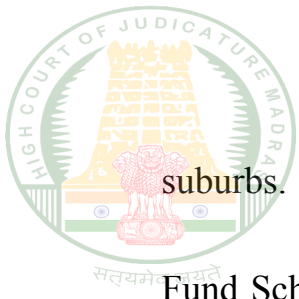
For Petitioner(s): Mr.Anandha Gopalan for
M/s.Advit Law Chambers

For Respondent(s): Mr.Dwarakesh Prabakaran for R1
And R2 (ESIC)

ORDER

The petitioner has prayed for a Writ of Mandamus to restrain the respondents from taking further action pursuant to the attachment notice dated 28.07.2025, and to permit the petitioner to pay the outstanding amount of Rs.21,31,907/- in 20 equated monthly instalments.

2. The brief facts of the case are that M/s.Shabari Enterprises/petitioner firm, is engaged in supplying manpower for various activities like housekeeping, loading, and unloading, etc., in and around Chennai and its



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suburbs. The firm has been extending benefits under the Employees Provident Fund Scheme to its eligible employees and has registered itself as a contractor under the Contract Labour (Regulation and Abolition) Act, 1970. However, due to serious financial constraints and the impact of the Covid-19 pandemic, the petitioner firm was unable to procure orders from companies for manpower supply, resulting in financial instability. Consequently, the firm failed to remit contributions to the first respondent. Thereby, the second respondent issued a Recovery notice dated 19.06.2025, demanding a sum of Rs.21,17,045/- towards arrears of contribution, interest and damages for various periods from 04/2025 to 10/2024. Subsequently, an Attachment Notice was issued on 28.07.2025, attaching the petitioner's firm bank account with Axis Bank, Bengaluru.

3. The learned counsel for the petitioner submits that the petitioner is facing financial difficulties and sought permission of this Court, to pay the outstanding amount of Rs.21,31,907/- in 20 equated monthly instalments.

4. The learned counsel for the respondents submitted that they do not



strongly object to the grant of instalments, subject to the petitioner's commitment to pay the amount in a reasonable time frame.

5. Heard both sides and perused the records.

6. After considering the rival submissions, this Court grants permission to the petitioner to pay the outstanding amount of Rs.21,31,907/- in 12 equated monthly instalments, after adjusting the sum of Rs.3,02,468/- already paid. The respondents are directed to permit the petitioner to pay the amount in instalments and not to proceed with further action pursuant to the attachment notice dated 28.07.2025, subject to the petitioner's compliance with the instalment payments. The petitioner shall pay the first instalment on or before 03.09.2025, and the remaining instalments on the first working day of every month thereafter. In the event of failure to pay any of the instalments, the respondents shall be at liberty to take appropriate action against the petitioner in the manner known to law.



7. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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2. The Recovery Officer
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K.SURENDER J.

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