



W.P.No.54 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 06.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.54 of 2025
and
W.M.P.Nos.64 & 173 of 2025

M/s. JJJ Constructions,
49-c, Annagramam Extension,
Gandhi Nagar Post, Vadakuthu,
Kurinipadi Taluk - 607 306.

... Petitioner

Vs

1. Union of India,
Represented by Ministry of Labour and Employment,
Sharam Shakti Bhavan, Rafi Marg,
New Delhi - 110 001.
2. Employees State Insurance Corporation,
Comarade Inderjeet Gupta (CIG) Marg,
New Delhi - 110 002.
3. NLC India Limited,
Rep. by General Manager Contracts Thermal,
TPS-II, Expansion Campus,
Neyveli - 607 807.
4. M/s. Yoga and Jana Constructions,
No. 172, Sakthi Nagar, Gandhi Nagar- 607 308.
(Near Neyveli Arch Gate),
Cuddalore District, Tamil Nadu.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the



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issuance of Writ of Certiorarified Mandamus, calling for records and to quash the impugned order dated 19.12.2023 passed by the second respondent and to quash the consequential order dated 27.09.2024 and to direct the bank to defreeze the bank account Indian Overseas Bank Neyveli Branch Block No.19, Unit No. IV, Main Bazaar, Neyveli Township, Cuddalore 607 803, A/c No. 91802000001362, Pan No. AAHFJ0758P and all other benefits or to issue any other writ, order or direction, which this Court may deem fit.

For Petitioner : Mr.R.Dayan Shariff

For R1 : Mr.K.Gangadaran
Central Government Standing Counsel

ORDER

The writ petitioner challenges the order passed under Section 45A of the ESI Act, 1948 as well as the consequential order dated 27.09.2024.

2. As against the order determining the contribution under Section 45A, the petitioner has two remedies. It can file a departmental appeal under Section 45A or approach the ESI Court under Section 74 and 75 of the ESI Act.

3. In view thereof, this writ petition is disposed of, keeping open all the contentions of the petitioner to be raised before the ESI Court. It goes without



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saying that, since the petitioner claims urgency, as and when such a petition is filed, the same shall be taken up immediately by the Court concerned for consideration of interim orders. Consequently, connected miscellaneous petition are closed. No costs.

06.01.2025

Neutral Citation: Yes/No
nsl

To

1. Union of India,
Represented by Ministry of Labour and Employment,
Sharam Shakti Bhavan, Rafi Marg,
New Delhi - 110 001.
2. Employees State Insurance Corporation,
Comarade Inderjeet Gupta (CIG) Marg,
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D.BHARATHA CHAKRAVARTHY, J.



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