



W.P.(MD)No.19642 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.07.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.19642 of 2025

and

W.M.P(MD)Nos.15086 & 15088 of 2025

P.George

...Petitioner

Vs

1.The Regional Director,
Sub Regional Office,
ESI Corporation,
Panchdeep Bhawan,
E.S.I.C. Complex,
Salai Street, Vannarapettai,
Tirunelveli - 627 003.

2.The Joint Director,
Sub Regional Office,
ESI Corporation,
Panchdeep Bhawan, E.S.I.C. Complex,
Salai Street, Vannarapettai,
Tirunelveli - 627 003.

3.Assistant / Deputy Director,
Sub Regional Office,
ESI Corporation,
Panchdeep Bhawan,
E.S.I.C. Complex, Salai Street,
Vannarapettai,
Tirunelveli - 627 003.

...Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a **Writ of Certiorarified Mandamus**, calling for the records, pertaining to the impugned order, passed by this 2nd respondent, the Joint Director, ESI Corporation, Tirunelveli, vide No.66-00-040277-000-01303/JD CELL/45AA/PH, dated 16.05.2025, and quash the same as not valid, and pass a direction to the 2nd respondent, to dispose the appeal filed by the petitioner, dated 18.05.2023, without asking 25% of the contribution deposit, within a time frame fixed by the Court.

For Petitioner : Mr.F.X.Eugene
For Respondents : Mr.I.Pinaygash
Standing Counsel

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ORDER

The present writ petition has been filed by an employer challenging the interim order passed by the appellate authority under Section 45AA of the Employees' State Insurance Act, 1948, wherein he has been directed to make mandatory pre-deposit.

2.The petitioner herein has suffered an order at the hands of the original authority on 15.03.2023. Challenging the same, he has preferred an appeal before the second respondent. The second respondent has passed impugned order



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directing the petitioner to deposit 25% of the contribution amount, so ordered.

Challenging the said order, the present writ petition has been filed.

3. Section 45AA of the Employees' State Insurance Act, 1948, does not provide for granting any waiver or exemption or even deduction in depositing 25% of the contribution amount while preferring an appeal. In such circumstances, the present writ petition is not maintainable.

4. Accordingly, this Writ Petition stands disposed of with liberty to the petitioner to deposit the amount **on or before 31.08.2025**. On such deposit, the appeal shall be numbered. No costs. Consequently, connected Writ Miscellaneous Petitions are also closed.

23.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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R.VIJAYAKUMAR, J.

RJR

To

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2.The Joint Director,
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Panchdeep Bhawan, E.S.I.C. Complex,
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3.The Assistant / Deputy Director,
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