



W.P(MD)No.10168 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.10.2025

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.10168 of 2018

and

W.M.P(MD)Nos.9220 & 9221 of 2018

P.Prabhakar

..Petitioner

Vs

- 1.The Director General,
E.S.I Corporation,
Head Quarters,
Punchdeeph Bhavan,
CIG Marg, New Delhi – 2.
- 2.The Deputy Director,
E.S.I Corporation,
Sub Regional Office, Salem,
Theerthamalai Vaniga Valagam,
Three Road, Salem 636 009.
- 3.The Revenue Recovery Officer,
E.S.I Corporation,
Sub Regional Office, Salem,
Theerthamalai Vaniga Valagam,
Salem – 636 009.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus to call for the records of the 2nd respondent pertaining to the impugned proceedings issued by the 2nd respondent vide No. 63630720520011018/MEC/SRO/SLM/41/16 dated 27.10.2016 and Order



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No.63000720520001018 / MEC/ SRO/ SLM/82/15 dated 07.11.2016 passed by the 2nd respondent and the impugned order No. P11/14/63/1/2017 Rev. II dated 27.10.2017 passed by the 1st respondent and quash the same and consequently to direct the second respondent to provide an opportunity of being heard to meet the ends of justice in accordance with the principles of natural justice.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.I.Pinaygash

ORDER

This writ petition has been filed seeking issuance of a Writ of Certiorarified Mandamus to call for the records of the 2nd respondent pertaining to the impugned proceedings issued vide No. 63630720520011018/MEC/SRO/SLM/41/16 dated 27.10.2016 and Order No. 63000720520001018/MEC/SRO/SLM/82/15 dated 07.11.2016, as well as the impugned order No. P11/14/63/1/2017 Rev. II dated 27.10.2017 passed by the 1st respondent, and to quash the same, and consequently to direct the 2nd respondent to provide the petitioner an opportunity of personal hearing in accordance with the principles of natural justice.

2. Heard the learned counsel appearing for both sides and perused the materials available on record.



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3. It is brought to the notice of this Court that the petitioner has an effective and alternative remedy by way of an appeal before the Appellate Tribunal under Section 45AA of the Employees' State Insurance (ESI) Act. Without availing such statutory remedy, the petitioner has directly approached this Court. In view of the availability of an effective alternative remedy, this writ petition is not maintainable.

4. Accordingly, this writ petition is dismissed. It is open to the petitioner to approach the Appellate Authority/Tribunal under Section 45AA of the Act, which shall consider the matter in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

13.10.2025

NCC : Yes/No
Index : Yes/No
Internet:Yes
skn



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P.T.ASHA, J.

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