



W.P.(MD) No.25166 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2025

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.25166 of 2018

and

W.M.P.(MD) Nos.22796 of 2018

and 14646 of 2022

P.Krishnaveni

... Petitioner

Vs.

1.The Deputy Director,
Employees State Insurance Corporation,
Sub-Regional Office (Tirunelveli),
ESIC Complex, Salai Street, Vannarpettai,
Tirunelveli-627 003.

2.The Recovery Officer,
Employees State Insurance Corporation,
Sub-Regional Office (Tirunelveli),
ESIC Complex, Salai Street,
Vannarpettai, Tirunelveli-627 003.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned order issued vide code No.66000414480001001/45A/1/16/INS-II/SRO/TLI dated 06.04.2016 on the file of the respondent No.1 and its consequential



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prohibitory order in No.66000414480001001/RRC/SRO/TLI dated NIL received on 16.10.2018 on the file of the Respondent No.2 and quash the same as illegal.

For Petitioner : Mr.G.Karthik

For Respondents : Mr.P.Ganapathysamy

ORDER

This writ petition has been filed aggrieved by an order dated 06.04.2016 bearing No.66000414480001001/45A/1/16/INS-II/SRO/TLI passed by the Respondent No.1 and the consequential order issued by the Respondent No.2 under Sections 45-A and 45G of the Employees' State Insurance Act, 1948 (hereinafter referred to as “the Act, 1948”) respectively.

2. The above writ petition was filed in the year 2018 and the same is pending for consideration before this Court for the past about seven years.

3. Today, when the matter is taken up for consideration, it is noticed that the petitioner has got an efficacious remedy under Section 75(1)(g) of the



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Act, 1948 against the impugned order dated 06.04.2016. In view of the same, this Court is not inclined to entertain the writ petition.

4. Accordingly, this Writ Petition is dismissed granting liberty to avail the remedy available under Section 75(1)(g) of the Act, 1948 within a period of four weeks from the date of receipt of a copy of this order. If any such appeal is filed within the time stipulated hereinabove, the appellate authority shall take the appeal on file without any reference to the limitation prescribed under the provisions of the Act, 1948 and dispose of the same on merits. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25.04.2025

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

ABR



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To

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Employees State Insurance Corporation,
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ESIC Complex, Salai Street, Vannarpettai,
Tirunelveli-627 003.
2. The Recovery Officer,
Employees State Insurance Corporation,
Sub-Regional Office (Tirunelveli),
ESIC Complex, Salai Street,
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MUMMINENI SUDHEER KUMAR, J.

ABR

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