



WP(MD)No.34873 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

**WP(MD)No.34873 of 2025 and
WMP(MD)No.27562 of 2025**

M/s.A2295 the Madurai Co-Operative
Printing Works Ltd,
15, TPK Road,
Andalpuram,
Madurai – 625 003,
represented by its Managing Director

...Petitioner

Vs

- 1.The Joint Director,
Employee State Insurance Corporation,
Sub-Regional Office, 2nd West Street,
K.K.Nagar, Madurai – 625 020.
- 2.The Recovery Officer,
Employees' State Insurance Corporation,
Sub- Regional Office, 2nd West Street,
K.K.Nagar, Madurai – 625 020.
- 3.The Branch Manager,
State Bank of India,
7A, West Veli Street,
Periyar Madurai Main,
Madurai.



WP(MD)No.34873 of 2025

4. The Branch Manager,
Madurai District Central Co-Operative Bank,
North Veli Street, Madurai.

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents 1 and 2 to deduct the arrears due pending of Rs.48,84,280/- by equal monthly installments from the account of the petitioner society within the time frame fixed by this court.

For Petitioner : Mr.S.Satheesh Kumar
For Respondent : Mr.I.Pinaygash
No.1

ORDER

The petitioner is a printing press limited. The petitioner is covered under the Employees State Insurance Act (in short ESI Act). Due to the loss suffered by the petitioner, they have failed to pay the ESI contribution liable to be paid by this petitioner establishment to the ESI Corporation. Therefore, the 2nd respondent has initiated proceedings under Section 45(G) of the ESI Act and determined the quantum of contribution as Rs.48,84,280/-. The petitioner has filed this writ petition seeking the relief of paying the dues in installments.



WP(MD)No.34873 of 2025

2.The learned counsel for the petitioner by projecting the cumulative loss suffered by the petitioner submits that the petitioner establishment is not getting orders in recent days and they are not in a position even to pay salary to its employees. According to the petitioner, it suffered a cumulative loss of Rs.55 lakh. However, the management with great difficulty is striving for its revival and 15 employees are depending on this printing press. Therefore, the learned counsel submits that if the petitioner is permitted to pay the above dues in 40 installments the petitioner printing press can survive.

3.Mr.I.Pinaygash, learned counsel, who takes notice for respondent Nos.1 and 2 submits that the petitioner establishment has paid the contribution for the period from the year 2014 to 2022 belatedly. However all the services have been availed from the ESI Corporation. Therefore, the learned counsel is strongly objecting for granting the relief as prayed for by the petitioner.

4.This court has considered the rival submissions made and also perused the materials placed on record.



WP(MD)No.34873 of 2025

5.The petitioner is a co-operative printing press limited. The co-operative movement has been developed in order to provide employment to the people and also to provide benefits to its members. However this movement is slowly reducing due to the non support of the government. The elected presidents have spoiled the institutions to some extent. Even for this institution, the petitioner claims that they have suffered a cumulative loss of Rs.55 lakh and 15 employees are depending on it. Therefore, this court is inclined to grant some concession to the petitioner co-operative printing press for its survival. Accordingly, the writ petition is disposed of as follows:

(i) The total dues to be paid by the petitioner is Rs.48,84,280/-. Therefore, the petitioner shall pay a sum of Rs.8,84,280/- within a period of four weeks from the date of receipt of a copy of this order and thereafter the petitioner shall pay the balance amount of Rs.40,00,000/- in 20 equal monthly installments.

(ii)The ESI authority is directed to defreeze the bank account of the petitioner, enabling the petitioner to pay the dues as above.

(iii) In view of the above directions, the ESI authority shall not take any coercive step as against the petitioner for a period of 21 months



WP(MD)No.34873 of 2025

and if the petitioner fails to utilise this opportunity provided by this court, it is left open to the ESI Corporation to proceed further as against the petitioner. No costs. Consequently connected miscellaneous petition is closed.

28.11.2025

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To

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WP(MD)No.34873 of 2025

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WP(MD)No.34873 of 2025

28.11.2025