



WEB COPY

WP No. 7915 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-03-2026

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

**WP No. 7915 of 2026
AND WMP NO. 8573 OF 2026**

M/s.The George Town Co.Op. Stores Ltd
Registration No.XNC 571
Rep by its authorised signatory
Mr.Mohammed Kadir,
S/o.Abdul Hussain
having Registered office at No.350(284)
VOC Salai, Jatkapuram, Chennai-600 001.

Petitioner(s)

Vs

1. The Deputy Registrar (Non Credit)
Co-operative Department of the Govt.
of Tamilnadu, No.40/39,4th floor,
Va.Woo.Mansion, Rajaji salai,
Chennai-600 001

2.The Recovery officer
ESI Corporation, Regional Office
No.143, Sterling Road,
Ningambakkam, Chennai-600 034.

Respondent(s)

PRAYER; This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, direct the 1st respondent to consider the petitioners representation dated 19.12.2025 to provide clarification whether the petitioners are covered under the proceedings of ESI Act, consequently directing the 2nd respondent to keep the recovery proceedings in abeyance.

For Petitioner(s): M/s.V.Anand
For Respondent: Mr.M.Muthusamy, GA



ORDER

This petition has been filed seeking a direction to the 1st respondent to consider the petitioners representation dated 19.12.2025 to provide clarification whether the petitioners are covered under the proceedings of ESI Act, consequently directing the 2nd respondent to keep the recovery proceedings in abeyance.

2. It is the case of the petitioner that the petitioner society is operating as Cooperative store under the control of Cooperative Department of the Government of Tamil Nadu. A show cause notice in Form C-18 dated 05.07.2021 from the Regional office of the second respondent alleging the non-payment of ESI contribution for the period from December 2016 to May 2021 on the wages paid to the employees of the organization and passed an order dated 13.10.2021 determining an amount of Rs.4,71,857/- along with interest of Rs.5,922/- payable as ESI contribution due as arrears. Subsequently, upon receipt of the order, the petitioner made a representation on 30.12.2021 with the ESI, the fact that the provisions of ESI employee contribution will not be applicable since the employees are covered under the medical insurance and medical allowance is being provided to the employees along with the monthly salary from February 2021. According to the Government Order, medical insurance and family welfare fund for the employees of the company is being implemented by Chennai Central Co-operative Bank. Therefore, the petitioner



made a representation on 19.12.2025 to the first respondent seeking clarification with respect to the order passed under the ESI Act and as to whether the staff of the petitioner are covered under the provision of ESI Act. But till date, the first respondent had not provided any further clarification and send a representation to the second respondent to keep the recovery proceedings in abeyance but the respondents but the authorities have not given any response. Hence, the present writ petition.

3. The learned counsel for the petitioner submitted that this Court may direct the respondents to consider and pass orders on the petitioners representation within the stipulated time as fixed by this Court.

4. The learned Government Advocate appearing for the respondents submitted that the representation will be considered and orders will be passed within the stipulated time as fixed by this Court.

5. Heard the learned counsel for both side and perused the materials available on record.

6. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this court directs the first respondent to consider and pass orders on the petitioner's representation dated 19.12.2025



within a period of four weeks from the date of receipt of a copy of this order.

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7. With the above directions, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

04-03-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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co-operative Department of the Govt. of
Tamilnadu No.40/39, 4th floor
Va. Woo. Mansion Rajaji salai,
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2. The Recovery officer
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