



W.P.No.13760 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13760 of 2026

And

W.M.P.No.15027 of 2026

P.R.K.B.Srinivasan Deviah

... Petitioner

Vs.

1.The ESI Corporation
Regional Director
Nungambakkam,
Chennai – 600 034.

2.Recovery Officer
The ESI Corporation
Nungambakkam,
Chennai – 600 034.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Recovery Officer to refrain from collecting any dues for the periods after 2021.

For Petitioner : Mr.Prakash Goklaney
For Respondents : Mr.F.Terry Chella Raja for ESI



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ORDER

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The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the Recovery Officer to refrain from collecting any dues for the periods after 2021.

2.The learned counsel appearing for the petitioner submitted that the petitioner is the Proprietor of Leo Coffee Grinding Works. Leo Coffee Grinding Works came within the fold of ESI Act during the year 1971 and subscription payable according to the Rules was being paid from 1971 to 2018. In the year 2018, due to various operational reasons and other exigencies arising in the business, the workers were laid off in a phased manner and by the year 2021, the business was completely shut down. After wounding up, the Authorities passed order dated 17.06.2025 under Section 45A of the ESI Act on the ground that the petitioner did not pay ESI contribution and thereafter the petitioner paid several amounts, however, the respondents without considering the same issued recovery order under Section 45(C) to 45(I) of the ESI Act. Hence, this Court may issue direction to the Recovery Officer to refrain from collecting any dues for the periods after 2021.



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3.Perusal of records reveal that already the ESI Authorities

has passed order dated 17.06.2025 under Section 45A of the ESI Act.

The petitioner, without challenging the order passed under Section 45A of the ESI Act has filed this writ petition, which is not sustainable one.

If at all the petitioner has any grievance, the petitioner has to canvass the same before the Appellate Authority. Hence, the relief sought for in this writ petition cannot be granted.

4.The writ petition is dismissed. Liberty is granted to the petitioner to prefer appeal against the order passed under Section 45A of the ESI Act in the manner known to law. No costs. Consequently, the connected miscellaneous petition is closed.

20.04.2026

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The ESI Corporation
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Nungambakkam,
Chennai – 600 034.

2.Recovery Officer
The ESI Corporation
Nungambakkam,
Chennai – 600 034.

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