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C.M.A. No.1437 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2026

CORAM

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

C.M.A. No.1437 of 2025
and C.M.P.No.12309 of 2025

M/s.Srinivas Waste Management Services Pvt Ltd.,
F3, Harmony Enclave, 8 MP Avenue,
Abuusali Street, Saligram,
Chennai – 600 093

....

Appellant

Vs

1.The Additional Commissioner,
Employee's State Insurance Corporation,
Panchdeep Bhavan,
143, Sterling Road,
Chennai – 600 034.

2.The Recovery Officer,
Employee's State Insurance Corporation,
Panchdeep Bhavan,
143, Sterling Road,
Chennai – 600 034.

....

Respondents

Prayer: This Civil Miscellaneous Appeal is filed under Section 82 of the Employees State Insurance Act 1948, to allow the appeal and set aside the order dated 14.03.2024 and decree of the ESI Court, Chennai in O.P.No.57 of 2019.

For Appellant : Ms.S.B.Keerthana
for M/s.Agam Legal

For Respondents : Ms.G.Narmadha



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JUDGMENT

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When the matter was taken up for hearing today, the learned counsel for the appellant submitted that a memo has been filed dated 04.02.2026 stating that this matter has been settled out of Court.

2. In view of the same, the scanned memo reproduction is extracted hereunder:

IN THE HIGH COURT OF JUDICATURE AT MADRAS
Appellate Jurisdiction
CMA No. 1437 of 2025
Against
OP No. 57 of 2019

M/s. Srinivas Waste Management
Services Pvt. Ltd.
F3, Harmony Enclave, SMP Avenue,
Abbusali Street,
Saligram, Chennai 600093

...Petitioners/Appellant

Vs.

The Additional Commissioner,
Employees State Insurance Corporation,
Panchdeep Bhawan,
143, Sterling Road, Chennai 600034
and Another

.. Respondent/Respondent

**MEMO FOR WITHDRAWAL FILED BY THE COUNSEL FOR THE
PETITIONER/ APPELLANT**

1. Against the impugned order dated 28.11.2018 passed under Section 85B of the ESI Act, 1948 by the Respondent Corporation, an appeal under Section 75 of the ESI Act was preferred by the Appellant before the Principal Labour Court, Chennai in OP No. 57 of 2019. The Labour Court, considering the submissions of the parties, passed an order on 14.03.2024, partly allowing the appeal. Assailing the order of the Labour Court, the above appeal has been preferred by the Appellant/ Petitioner before this Hon'ble Court.
2. The Respondent Corporation, on 24.07.2025, introduced an Amnesty Scheme for the purpose of one-time settlement of all disputes pending as on 31.03.2025, wherein only 10% of the damages claimed by the Respondent Corporation ought to be paid by an employer to settle the dispute out of Court.
3. In consonance with the terms of the Scheme, the Petitioner is willing to remit 10% of the claim amount of damages as proposed under the

For Srinivas Waste Management Services Pvt. Ltd.

DIRECTOR



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Amnesty Scheme to bring a quietus to the dispute at once. In the event of the Respondent Corporation not considering and enrolling the Petitioner to the Scheme in consonance with its terms, liberty may be granted to the Petitioner to take steps to restore the appeal filed challenging the order dated 28.11.2018.

It is therefore prayed that this Hon'ble Court may be pleased to take on record the contentions of the memo, permit the Petitioner to withdraw the case as per the Scheme with liberty to restore the appeal in the event of not falling within the criteria listed in the Amnesty Scheme dated 24.07.2025, and pass such further or other orders as this Hon'ble Court deems fit in the interests of justice.

Dated at Chennai on this the 04th day of February, 2026

For BRINING WASTE MANAGEMENT SERVICES (P) LTD

APPELLANT

DIRECTOR

COUNSEL FOR APPELLANT

3. Recording of the said memo and endorsement made by the learned counsel for the appellant, the Civil Miscellaneous Appeal stands dismissed as withdrawn. Consequently, connected miscellaneous petition is closed. No costs.

05.02.2026

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Internet: Yes/No

Index: Yes/No

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To

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Chennai.

2.The Additional Commissioner,
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K.GOVINDARAJAN THILAKAVADI, J.

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05.02.2026