



WEB COPY

WP No. 24836 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.No.24836 of 2026

and

W.M.P.Nos.27084 and 27085 of 2026

M/s.Raahul Engineering Services,
Represented by its Proprietor A.Sivasankaran,
Plot No.7B, 1st Link Street,
Sadasivanagar (North)
Chennai-600 091

..Petitioner

Vs.

1. The Assistant Director,
Insurance Branch-IV,
ESI Corporation,
143, Sterling Road,
Chennai-34
2. The Recovery officer
ESI Corporation,
143, Sterling Road,
Chennai-34

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent in the 45-A order No.51-00-103897-000-0606/Ins.III and quash the order dated 15.03.2023 and further direct the 1st respondent to pass orders afresh by granting adequate opportunity to the petitioner.

For Petitioner :

Mr.G.Babu Rajendran

For Respondent(s):

Dr.C.Paranthaman



ORDER

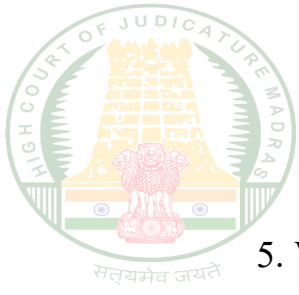
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The writ petitioner is a firm questioning the order passed under Section 45-A of the Employees' State Insurance Act, dated 15.03.2023. It is the case of the petitioner that he was unaware of such order being passed and only when he received the notice given to defaulter, dated 09.02.2026, he then sent an e-mail to the ESI authority. Only after e-mail was sent, the attachment order was passed and sent by e-mail.

2. Learned counsel for the ESI submitted that notice was in fact sent by speed post and the ESI has proof of the notice being served on the petitioner.

3. In the present circumstances, the appeal against the order under Section 45-A of the Act, would lie only with the employee's insurance under Section 75 of the ESI Act.

4. It is left open to the petitioner to approach the said firm and file appeal. In the event of filing such appeal, the appellate forum shall decide the factum of limitation regarding the claim made by the petitioner that the order under Section 45-A was never served on them. Thereafter, the proceedings shall continue in the appeal.



5. With the above direction, this Writ Petition is dismissed. There shall be no order as to costs. The Miscellaneous Petitions are closed.

02-07-2026

CS

To

1. The Assistant Director,
Insurance Branch-IV,
ESI Corporation,
143, Sterling Road,
Chennai-34
2. The Recovery officer
ESI Corporation,
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K.SURENDER, J

CS

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