



WEB COPY



W.P.No.48606 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2026

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.48606 of 2025
and
W.M.P.No.54272 of 2025

M/s.KMF Automotive (P) Ltd.,
Rep by its authorized Signatory,
Mr.M.Senthil Kumar – HR Manager,
Village Survey No.136,
Thodukadu Village & Post,
Thiruvallur Main Road,
Sriperumbudur – 602 105.

... Petitioner

Vs

1. The Deputy Director,
Employees State Insurance Corporation,
143, Sterling Road,
Chennai – 600 034.
2. The Recovery Officer,
Employees State Insurance Corporation,
143, Sterling Road,
Chennai – 600 034.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue writ of certiorarified mandamus, calling for the records from the files of the 1st respondent and to quash the order passed under Section 45A of ESI Act for the period from 04/2020 to 03/2021 in 1st respondent proceedings No.TN/Ins.II/51-00-086187-000-0704 dated 15.05.2025 and to quash the consequential order passed in the recovery notice dated 06.11.2025 in proceedings No.51000861870000704/11420251713/INS-2 for the period 04/2020 to 03/2021.



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For Petitioner : Mr.Gireeshvaran .R
For Respondents : Ms.G.Narmadha for R1 & R2

ORDER

This writ petition is filed with a prayer challenging the order passed under Section 45A of the ESI Act dated 15.05.2025 on the file of the 1st respondent and the consequential order dated 06.11.2025.

2. When the matter came up for hearing, upon being pointed out by the learned Counsel appearing on behalf of the respondents, the learned Counsel appearing on behalf of the petitioner is also not in a position to deny the fact that the very same prayer is being made before the ESI Court in ESI OP.No.150 of 2025. The only grievance for filing the writ petition is that in the interregnum, when the new Court came into force, these Courts were not functioning. Subsequently, it is now brought to the notice that the concerned Courts are continued to function as on date and therefore, there is no grievance that could be entertained by this Court.



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3. In view thereof, keeping open the liberty of the petitioner to continue to prosecute the aforementioned ESI OP, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

02.01.2026

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Neutral Citation: Yes/No

To

1. The Deputy Director,
Employees State Insurance Corporation,
143, Sterling Road,
Chennai – 600 034.
2. The Recovery Officer,
Employees State Insurance Corporation,
143, Sterling Road,
Chennai – 600 034.



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D.BHARATHA CHAKRAVARTHY, J.

veda

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