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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved On : 09.10.2026

Delivered on: 28.10.2026

CORAM

THE HON'BLE DR. JUSTICE P. MURUGAN

CMP(MD) No. 13371 of 2026

CNR:{HCMD010533922023}

in

CMA(MD) SR No. 35108 of 2023

Deputy Director (INS II),
Sub Regional Office (Madurai)
Employees State Insurance Corporation,
2nd West Street,
K.K.Nagar, Madurai. ... Petitioner

Vs.

Mani Spinning Mills Private Limited,
Represented by its General Manager,
Nagampatty,
Vedasandur,
Dindigul District. ... Respondents

PRAYER: This Petition is filed under section 82(4) of E.S.I. Act, to condone the delay of 270 days in filing the CMA(MD)SR.No.35108 of 2023.

For Petitioner : M/s P.Ajitha

For Respondent : Mr.V.O.S.Kalaiselvam

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ORDER

The E.S.I. Corporation challenges the order passed by the E.S.I Judge, Labour Court, Madurai in E.S.I.O.P.No.39 of 2011 by an order dated 13.05.2022 with a delay of 270 days in filing the CMA(MD)SR. No.35108 of 2023.

2. The reason assigned by the Corporation is as that after the impugned order was passed on 13.05.2022, the Corporation counsel applied for certified copy of the order on 16.05.2022, it was made ready on 02.06.2022 and was taken delivery on 14.06.2022. In the meantime, the counsel, who dealt the Corporation case, had fallen sick and could not followup the matter and the order copy was not sent to the Corporation within the time. After verification of the case file, it came to know that the E.S.I Court partly allowed the case filed by the respondent. Therefore, the Corporation challenges the same before this Court by filing the appeal and thereby there is a delay of 270 days and the delay is neither wilful nor wanton and the delay may be condoned.

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3. As far as the employer / respondent is concerned, no counter has been filed. This Court heard both sides. Perused the records.

4. The Corporation has come up with the appeal with a delay of 270 days and the reason assigned that the Corporation's counsel could not get the order copy and send the same to the Corporation immediately, which prevented the Corporation to come up with the appeal. Though that reason has been stated, by taking a balanced view, this Court is of the opinion that the delay is condonable. Accordingly, this Civil Miscellaneous Petition is allowed and the delay of 270 days is hereby condoned.

5. The Registry is directed to number the appeal if it is otherwise in order and list the same before this Court “for admission”.

28.10.2026

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DR. P. MURUGAN, J.

LS

To
The General Manager
Mani Spinning Mills Private Limited
Nagampatty, Vedasandur,
Dindigul District.

CMP(MD) No. 13371 of 2026
in
CMA(MD) SR No. 35108 of 2023

28.10.2026

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