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CMA No. 3127 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-08-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

CMA No. 3127 of 2024

Saidapet Cooperative Milk Producers Society
Limited, Rep. by its Secretary, No.69/11, Jeenis
Road, Saidapet, Chennai - 015.

..Appellant(s)

Vs

1. The Regional Director, Employees State
Insurance Corporation, 143, Sterling Road,
Chennai – 034.
2. The Assistant Director, Employees State
Insurance Corporation, Regional Office (Tamil
Nadu), 143, Sterling Road, Chennai - 034.

..Respondent(s)

Prayer:-To set aside the order dated 03.04.2024 passed in EIOP No.16 of 2016 on the file of the Employees Insurance Court (Principal Labour Court), Chennai.

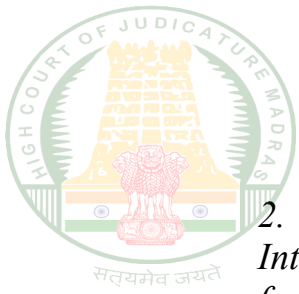
For Appellant(s): Mr.C.K.Chandrasekhar

For Respondent(s): Mr.S.P.Srinivasan-RR1 and 2

ORDER

1. This Court, vide order dated, 25.11.2024, in CMP.No.25799 of 2024 in CMA.No.3127 of 2024, had passed the following order:-

“Learned counsel for the appellant submitted that, at the time of preferring the appeal under section 75 of the ESI Act, the appellant deposited 25% of the demand amount, despite the same, the petitioner's appeal was dismissed, which is wholly unsustainable.



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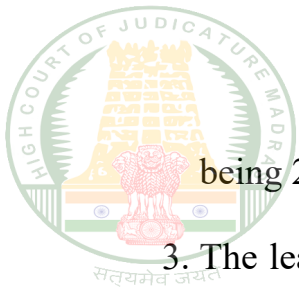
2. *Considering the prima facie case, there shall be an order of Interim Stay on condition that the petitioner/appellant deposits further 25% of the demand amount with accrued interests and costs, to the credit of EIOP.No.16 of 2016, on the file of the Employees Insurance Court (Principal Labour Court), Chennai, within a period of four weeks from the date of receipt of a copy of this order, failing which, interim stay granted by this Court shall stand automatically vacated, without any reference to this Court.*

3. *On such deposit being made, the Labour Court shall deposit the said amount to the credit of C.M.A.No.3127 of 2024 before the Indian Bank, High Court Branch, Chennai, in an Interest bearing Fixed Deposit, initially for a period of one year and renewable thereafter, till the disposal of the appeal, within a period of two weeks thereafter.*

3. *Mr.S.P.Srinivasan, learned counsel takes notice on behalf of the respondents.*

4. *Post the matter after four weeks.”*

2. Mr.C.K.Chandrasekar, the learned counsel for the Petitioner has submitted that he had applied for certified copy of the order of this Court, dated, 25.11.2024, passed in CMP.No.25799 of 2024 in CMA.No.3127 of 2024, before the Registry, on two occasions on 25.11.2024 and 19.11.2025, but the certified copy of the same was not made ready and not issued by the Registry for the reasons best known to them and that it is lack on the part of the Registry in not issuing the certified copy to the Petitioner, in spite of applying for getting certified copy of the said order for two times, which is a serious matter and hence, the order dated, 25.11.2024 was not complied with, though the Petitioner had already made ready a demand draft, bearing No.897954, dated 06.12.2025, drawn on State Bank of India, for a sum of Rs.30,000/-



being 25% of the demand amount.

3. The learned counsel for the Petitioner further submits that the validity of the

said demand draft had also expired and that in the absence of certified copy of the said order dated, 25.11.2024, the Employees Insurance Court (Principal Labour Court), Chennai, is not accepting the said demand draft and that after issuance of the certified copy of the order dated, 25.11.2024, he may be permitted to make a fresh demand draft and some more time may be extended to deposit the fresh demand draft, before the Trial Court concerned, as per the order dated 25.11.2024, of this Court.

4. The above arguments advanced by the learned counsel for the Petitioner appears to be justified and convincing, as the certified copy of the order dated, 25.11.2024 was not made ready and not issued to the Petitioner by the Registry, in spite of making applications for getting certified copy of the said order, dated 25.11.2024, on two occasions, by the Petitioner, as stated above.

5. Accordingly, the Registry is directed to issue certified copy of the order of this Court, dated, 25.11.2024, made in CMP.No.25799 of 2024 in CMA.No.3127 of 2024, to the Petitioner, without charging any excess fees, as already twice the requisite fees had been paid by the Petitioner, within three days from today and a copy of the said order may also be kept in the file of this Court, to show the compliance.

6. The learned counsel for the Petitioner is also directed to make a fresh demand draft for a sum of Rs.30,000/- being 25% of the demand amount and after



getting certified copy of the order, dated, 25.11.2024, the fresh demand draft should be deposited before the Employees Insurance Court (Principal Labour Court), Chennai, within three weeks thereafter. The other conditions of the order dated, 25.11.2024 shall remain unchanged.

7. Mr.S.P.Srinivasan, the learned counsel for the Respondent prays for some time to file a counter affidavit.
8. As prayed for by the learned counsel for the Respondent, four weeks time is allowed to file a counter affidavit and thereafter, two weeks time is allowed to the learned counsel for the Petitioner to file a rejoinder affidavit.
9. Put up this case for further orders on 13.10.2026, before the appropriate Bench.

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SHAMIM AHMED, J.

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