

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.01.2017

THE HONOURABLE MR.JUSTICE NOOTY.RAMAMOHANA RAO
AND
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Writ Appeal No.26 of 2017
and
C.M.P.No.409 of 2017

Tirupur South Rotary Nursery & Primar
Primary School, rep. by its
Secretary - Mr.M.Eswaran.

.. Appellant/Petitioner

Vs.

1. The Additional Central Provident
Commissioner, Employees Provident
Fund Organization,
No.37, Royapettah High Road,
Chennai-600 014.

2. The Regional Provident Fund
Commissioner, Regional Office,
Bhavishya Nidhi Bhavan,
P.B.No.3875,
Dr.Balasundaram Road,
Coimbatore - 641 018.

3. The Assistant Provident Fund
Commissioner, Regional Office,
Bhavishya Nidhi Bhavan,
P.B.No.3875,
Dr.Balasundaram Road,
Coimbatore - 641 018.

.. Respondents/Respondent

Writ Appeal filed under Clause 15 of the Letters Patent
against the order passed by the learned single Judge in Writ
Petition No.29517 of 2015, dated 18.01.2016.

Prayer in wp.29517/15

Petition filed under Article 226 of the Constitution of
India, Praying to issue a Writ of Mandamus to direct the
respondents 1 to 3 Consider the Representation Dated 23.04.2015.

For Appellant : Mr.S.Ezhil Raj

JUDGMENT

(Delivered by NOOTY.RAMAMOHANA RAO,J)

This appeal, a most redundant exercise has been indulged in by the writ petitioner, whose writ petition No.29517 of 2015 has been disposed of by the learned single Judge, preserving liberty to the writ petitioner to renew the request for refund of the monies already collected from it by the Employees Provident Fund Organisation, no sooner the lis which was the subject matter in W.P.No.35575 of 2015, gets finally adjudicated upon, pursuant to the remand order passed in that writ petition 35575 of 2015. Thus, no right of the writ petitioner/appellant has been adversely impacted by the order passed by the learned single Judge.

2. We see no reason to entertain this writ appeal. It is needless to reiterate that the writ petitioner/appellant's right to seek refund of the monies already collected from it by the Employees Provident Fund Organisation, will squarely depend upon the result of the enquiry pursuant to the remand order passed in W.P.No.35575 of 2015.

3. The writ appeal stands disposed of with this order. No costs. Consequently, C.M.P.No.409 of 2017 is closed.

sd/

Assistant Registrar(CS VI))

/true copy/

Sub Assistant Registrar

gr.

To:

1. The Additional Central Provident Commissioner, Employees Provident Fund Organization, No.37, Royapettah High Road, Chennai-600 014.
 2. The Regional Provident Fund Commissioner, Regional Office, Bhavishya Nidhi Bhavan, P.B.No.3875, Dr.Balasundaram Road, Coimbatore - 641 018.
 3. The Assistant Provident Fund Commissioner, Regional Office, Bhavishya Nidhi Bhavan, P.B.No.3875, Dr.Balasundaram Road, Coimbatore - 641 018.
- +1cc to Mr.S.Ezhilraj, Advocate, SR.No.4180/17

W.A.No.26 of 2017

AK(CO)

GN(06/01/2017)