



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2017

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C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) Nos.19713 of 2017

and

W.M.P. (MD) Nos.15991 & 18328 of 2017

Tamil Nadu Generation and
Distribution Corporation Ltd
(formerly known as Tamil Nadu
Electricity Board)

Tuticorin Electricity Distribution Circle,
131, 132, Ettayapuram Road,
Tuticorin 628 002.

rep. by Superintending Engineer

... Petitioner

Vs.

1. The Regional Provident Fund Commissioner,
Office of the Regional Provident Fund Organisation,
Bhavishya Nidhi Bhawan,
Ngo, 'B' Colony, Tirunelveli 627 007.

2. The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Bhavishya Nidhi Bhawan,
NGO, 'B' colony, Tirunelveli 627 007.

3. The Regional Secretary,
E.B.Workers Central Union,
Sivanthipatti road,
Maharajanagar,
Tirunelveli District.

4. The Secretary, COTEE
Tuticorin Electricity Distribution Circle,
Tuticorin-628 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records of the second respondent in proceedings No.CBE/TNY/TNEB/CDII (22)/55651/2017 dated 19.09.2017, quash the same and direct the second respondent to entertain the review application of the petitioner in Letter.No.SE/TEDC/ADO/ADM



III/F.EPF/D.No. /2017 dated 30.08.2017, further direct the second respondent to claim contribution only in respect of identifiable employees.

For Petitioner : Ms.P.Malini

For Respondents : Mr.K.Muralishankar
(for R1 & R2)

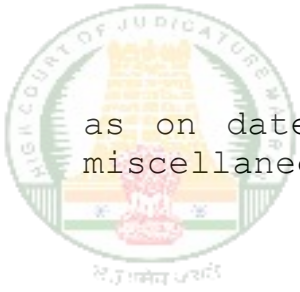
O R D E R

This writ petition has been filed challenging the impugned proceedings No. No.CBE/TNY/TNEB/CDII (22)/55651/2017, passed by the second respondent and for consequential direction to the second respondent to entertain the review application of the petitioner in Letter.No.SE/TEDC/ADO/ADM III/F.EPF/D.No. /2017 dated 30.08.2017 and to claim contribution only in respect of identifiable employees.

2. In paragraph 12 of the affidavit filed in support of the petition, it has been mentioned by the petitioner that as against the order, dated 26.06.2007, passed by the second respondent claiming contribution of Rs.2,29,10,889/- (Rupees Two Crores Twenty Nine Lakhs Ten Thousand Eight Hundred and Eighty Nine only) for a period from August 1988 to May 2017, the petitioner had filed an appeal before the Employees Provident Fund Tribunal, Delhi, which was numbered as ATA No.783(13)/2008 and that the petitioner was led to believe that the appeal was dismissed. However, today it is represented by the learned counsel appearing for the respondents that the said appeal is pending has been transferred to the Central Government Industrial Tribunal at Chennai and the same has been taken on file as E.P.No.61 of 2017 and posted for hearing on 01.02.2018.

3.The learned counsel for the petitioner seeks permission of this Court to withdraw this present writ petition and pursue to their grievances in the said appeal.

4.Recording the same, this writ petition is dismissed as withdrawn. The learned counsel for the petitioner submits that he would also move the said Tribunal for getting interim order against the impugned order.



as on date till 01.02.2018. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

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/True Copy/

Sub Assistant Registrar

+ 1 cc TO Ms.P.Malini , Advocate in SR No. 93254

+ 1 cc TO Mr.K.Muralishankar , Advocate in SR No. 93247

rmk

AE/KKR/SAR2/04.01.2018/3P/3C

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