

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.06.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14134 of 2018

and W.M.P.No.16706 of 2018

The Management of
M/s.Sholingur Textiles Ltd.,
No.26, Govindan Street,
Ayyavu Colony, Aminjikarai,
Chennai - 600 029
Rep by its Director

..Petitioner

vs

- 1.The Presiding Officer,
Central Government Industrial Tribunal,
I Floor, 'B' Wing,
No.26, Haddows Road, Shastri Bhavan,
Chennai 600 006
- 2.The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Sub Regional Office,
31, Filter Bed Road,
Vellore 632 001
- 3.The Recovery Officer,
Sub Regional Office,
31, Filter Bed Road,
Vellore 632 001

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the 2nd and 3rd respondent from proceeding any further in terms of its 14B order dated 02/16.11.2015 in Proceedings No.TN/VLR/6294/SDC/2015-2016 and consequential attachment proceedings of the 3rd respondent dated 04.08.2017 in proceedings No.TN.VL/6294/ Recovery 2017, till such time the appeal filed by the Petitioner before the 1st Respondent in EPFA No.435 of 2018 is taken up for hearing.

For Petitioner : Mr.G.Anand for
for M/s.T.S.Gopalan and Co.

O R D E R

The relief sought for in this writ petition is for a direction to forbear the 2nd and 3rd respondent from proceeding any further in terms of the 14B order dated 02/16.11.2015 in Proceedings No.TN/VLR/6294/SDC/2015-2016 and consequential

attachment proceedings of the 3rd respondent dated 04.08.2017 in proceedings No.TN.VL/6294/ Recovery 2017, till the appeal filed by the Petitioner before the 1st Respondent in EPFA No.435 of 2018 is taken up for hearing.

2. The learned counsel appearing on behalf of the writ petitioner made a submission that the appeal was properly filed by the writ petitioner and the same has been taken on file as EPFA.No.435 of 2018. However, the first respondent has not adjudicated the appeal and passed an order. There is an enormous delay on the part of the first respondent in dealing with the appeal filed by the writ petitioner. The issues raised in the appeal are certainly important and early disposal of the appeal is essential.

***3.In view of the fact that the Presiding Officer is yet to be appointed in the Central Government Industrial Tribunal cum Labour Court, this Court is inclined to consider the relief as such sought for in this writ petition.**

4.Thus, the respondents are directed not to initiate any coercive action till the Presiding Officer is appointed in the Central Government Industrial Tribunal cum Labour Court.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

dt.20.6.2018

*amended as per the order of the court dated 5.7.2018.

Sd/-

Assistant Registrar(CCC)

dt.5.7.2018

//True Copy//

Sub Assistant Registrar

stm/lok

To

1.The Presiding Officer,
Central Government Industrial Tribunal,
I Floor, 'B' Wing,
No.26, Haddows Road, Shastri Bhavan,
Chennai 600 006

WEB COPY

2.The Regional Provident
Fund Commissioner,
Employees Provident
Fund Organization,
Sub Regional Office,
31, Filter Bed Road,
Vellore 632 001

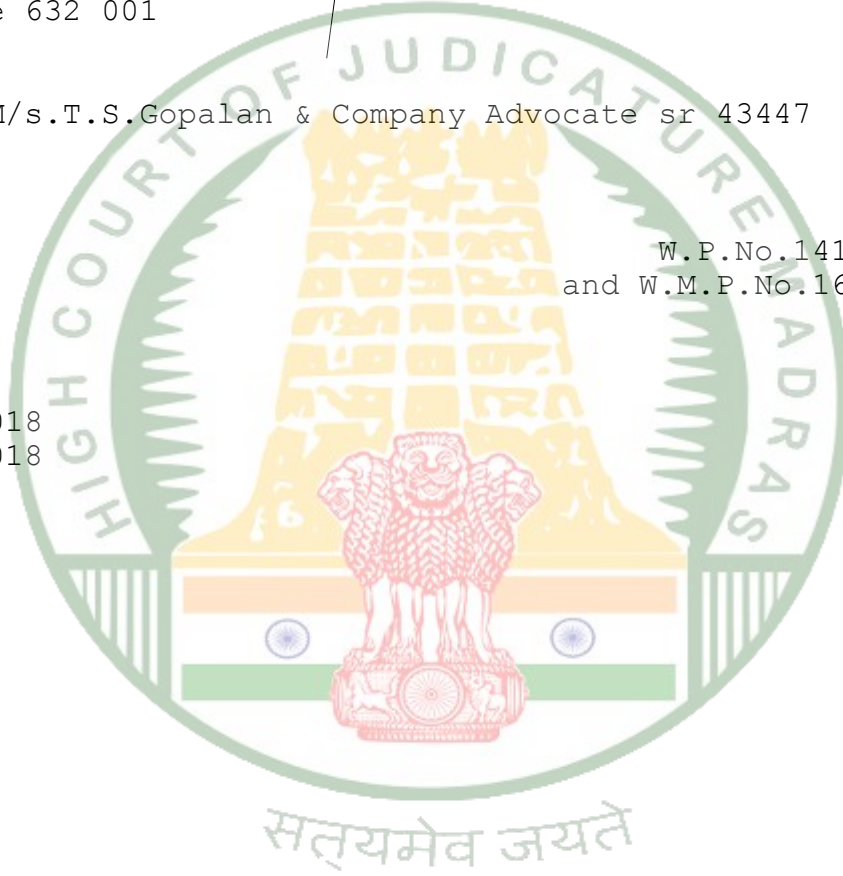
To be substituted to the order
copy already despatched on 28.6.18

3.The Recovery Officer,
Sub Regional Office,
31, Filter Bed Road,
Vellore 632 001

+1 cc to M/s.T.S.Gopalan & Company Advocate sr 43447

W.P.No.14134 of 2018
and W.M.P.No.16706 of 2018

svi(co)
aa21/06/2018
sm:25.7.2018



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