

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.06.2018

CORAM

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

W.P.No.14842 of 2018
and W.M.P.No.17574 of 2018

M/s.Greaves Cotton Ltd,
LEU-II,Plot No-72,SIPCOT Industrial Complex,
SIPCOT, Ranipet - 632 403.
Represented by its Factory Manager

..Petitioner

vs

1.The Presiding Officer,
Central Government Industrial Tribunal Cum Labour Court,
ShastriBhavan, Haddows Road,
Nungambakkam, Chennai-6.

2.The Assistant Provident Fund Commissioner(SDC)
Employees' Provident Fund Organization,
Sub Regional Office,
S-1-Phase III, TNHB, Sathuvachari,
Vellore-632 009.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the 2nd respondent from proceeding any further in terms of its order dated 09.03.2018 in proceedings No.TB/VLR/38197/SDC/2016-17 passed under Section 14B and under Section 7Q of Employees Provident Fund Act till such time the appeal filed by the petitioner is taken up for hearing by the 1st respondent.

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

O R D E R

The relief sought for in this writ petition is to forbear the 2nd respondent from proceeding any further in terms of its order dated 09.03.2018 in proceedings No.TB/VLR/38197/SDC/2016-17 passed under Section 14B and under Section 7Q of Employees Provident Fund Act till such time the appeal filed by the petitioner is taken up for hearing by the 1st respondent.

2.The learned counsel appearing on behalf of the writ petitioner states that the Central Government Industrial Tribunal cum Labour Court is not functioning as of now for want of Presiding Officer. The Presiding Officer is yet to be appointed. Thus, they are unable to conduct the cases before the Tribunal. During this interregnum period, the respondents are taking some coercive action against the writ petitioner.

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, this writ petition stands disposed of. Consequently, connected miscellaneous petition is closed. However, there is no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

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To

1.The Presiding Officer,
Central Government Industrial Tribunal Cum Labour Court,
Shastribhavan, Haddows Road,
Nungambakkam, Chennai-6.

2.The Assistant Provident Fund Commissioner(SDC)
Employees' Provident Fund Organization,
Sub Regional Office,
S-1-Phase III, TNHB, Sathuvachari,
Vellore-632 009.

+1cc to Mr.T.S.Gopalan & Co, Advocate SR.No.38468

W.P.No.14842 of 2018

KJI (CO)
GN(03/07/2018)