

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.07.2018

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

W.P.No.18768 of 2018
and W.M.P.No.22121 of 2018

M/s.ECOF Industries (P) Ltd,
rep.by its Manager-Audit
3, Bheemana Garden Street,
Abiramapuram,
Chennai-600 018. ..Petitioner

vs

Regional P.F.Commissioner I,
Employees Provident Fund Commissioner,
Regional Officer, Tambaram,
3, Rajaji Salai, Chennai-600 045. ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondent from initiating recovery proceedings against the petitioner in terms of its order no.TB/TAM/RO/ENF/CC-II/T-8/36817/2018 dated 27.06.2018 till the appeal filed by the petitioner before the Central Government Industrial Tribunal, Chennai is taken up for hearing.

For Petitioner : Mr.S.Ravindran, Senior Counsel
for M/s. S. Bazeer Ahamed

O R D E R

The relief sought for in this writ petition is to forbear the respondent from initiating recovery proceedings against the petitioner in terms of its order no.TB/TAM/RO/ENF/CC-II/T-8/36817/2018 dated 27.06.2018 till the appeal filed by the petitioner before the Central Government Industrial Tribunal, Chennai is taken up for hearing.

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 respondent is 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 respondent is 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 (CS-VIII)

//True Copy//

Sub Assistant Registrar

sk

To

Regional P.F. Commissioner I,
Employees Provident Fund Commissioner,
Regional Officer, Tambaram,
3, Rajaji Salai, Chennai-600 045.

+ 1 cc to Mr. S. Bazeer Ahamed, Advocate sr.49492

सत्यमेव जयते

W.P.No.18768 of 2018

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