



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2018

CORAM:

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.3691 of 2018
and
W.MP. (MD).No.3839 of 2018

M/s.Aryan Tex Trade Private Limited,
SF No.6/1, Karudayampalayam,
Nedungur Village, K.Paramathi,
Karur-639 111.

Represented by its
Authorised Signatory

.. Petitioner

Vs.

The Assistant Provident Fund Commissioner,
Employee's Provident Fund Organisation,
Sub Regional Office, Sree Complex,
'D' Block, No.18, Madurai Road,
Trichy-620 008.

.. Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in his proceedings in No.ENF-B7/CB/TRY/82273/SPL RRC/2018, dated 15.02.2018 and quash the same and consequently forbear the respondent from taking any coercive/recovery steps against the petitioner till the Hon'ble Appellate Tribunal resumes its quasi judicial functioning pursuant to the order dated 27.10.2017, passed by the respondent.

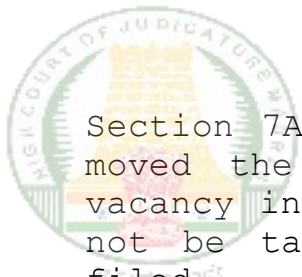
For petitioner : Mr.M.Elanchezhian
For respondent : Mr.V.S.Karthi

O R D E R

Heard Mr.M.Elanchezhian, learned Counsel appearing for the petitioner and Mr.Mr.V.S.Karthi, learned counsel appearing for the respondent.

2.By consent of both parties, the main writ petition is taken up for final disposal at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/> The petitioner is an establishment governed by the provisions of Employee's Provident Fund Act. The order under



Section 7A was passed. Questioning the same, the petitioner has moved the Appellate Tribunal. At present on account of the vacancy in the post of Presiding Officer, the said petition could not be taken up for disposal, even though an appeal has been filed.

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4. Therefore, this Court directs the respondent to keep the impugned order in abeyance. However, the petitioner has to be put on terms. The learned counsel for the petitioner fairly submitted the petitioner would remit 25% of the demand amount, within a period of six weeks from today (i.e. 22.02.2018).

5. This Writ petition is allowed, in view of the aforesaid undertaking. No costs. Consequently connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

+1. CC to M/S.K.Hemakarthiskeyan Advocate SR.No.50380

+1. CC to M/S.V.S.Karthi, Advocate SR.No.50975

**ORDER MADE IN
W.P. (MD) No.3691 of 2018 and
W.M.P. (MD). No.3839 of 2018
22.02.2018**

SSS

MKV-CM-VR-SAR 4/26.2.2018/2P-3C