



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.26362 of 2019

and

W.M.P(MD)No.22788 of 2019

M/s.Kanyakumari District
Cooperative Spinning Mills Ltd.,
Aralvoymozhi - 629 301
Rep. By its Managing Director.

... Petitioner

Vs.

The Regional Provident Fund Commissioner,
Employees' Provident Fund Organisation,
Regional Office,
65-A, Water Tank Road,
Nagercoil - 629 001.
... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the order passed by the respondent herein in his proceedings dated 24.01.2019 in File No.TN/NGL/Enf/Circle 32/5610/2019 served on 12.02.2019 and quash the same and consequently direct the respondent herein to collect contribution @ the rate of 10% from the petitioner for the period in dispute.

For Petitioner : Mr.M.Elanchezhian
For Respondent : Mr.J.S.Murali
Standing Counsel

ORDER

This writ petition has been filed by the petitioner seeking for issuance of a Writ of Certiorarified Mandamus, calling for the records of the order passed by the respondent herein in his proceedings dated 24.01.2019 in File No.TN/NGL/Enf/Circle 32/5610/2019 and quash the same and consequently direct the respondent herein to collect contribution at the rate of 10% from the petitioner for the period in dispute.

2. Mr.J.S.Murali, the learned standing counsel, who takes notice on behalf of the respondent made an objection that this writ petition is not maintainable as an appeal remedy is available to the



petitioner.

3. In view of the same, the learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition with liberty to go before the appellate authority, within a period of two weeks from the date of receipt of a copy of this order and he has also made an endorsement to that effect.

4. In view of the endorsement so made, this Writ Petition is dismissed as withdrawn with such liberty. No Costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

pm

To:

+1 CC to M/s.J.S.MURALI, Advocate (SR-104788[F] dated 13/12/2019)

+1 CC to M/s.M/S.K.HEMAKARTHIKEYAN, Advocate (SR-105156[F] dated 16/12/2019)

W.P (MD) No.26362 of 2019

12.12.2019

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