

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2020

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.P.NO.774 OF 2020

AND

W.M.P.NO.938 OF 2020

M/s. TVS Supply Chain Solutions Ltd.,
(formerly known as M/s. TVS Logistics Services Ltd.,)
Karunai Kudil, No. 226, Cathedral Road,
Chennai - 600 086.
Rep. by its Head - Human Resources

... Petitioner

-vs-

1. The Secretary (L&S),
Ministry of Labour & Employment,
Govt. of India, Rafi Marg,
New Delhi - 110 001, India.
2. The Central Provident Fund Commissioner,
Employees Provident Fund Organisation,
Head Office, Bhavishya Nidhi Bhawan,
14 - Bhikaji Cama Place, New Delhi - 110 066.
3. The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Regional Office, 37, Royapettah High Road,
Chennai - 600 014.
4. The Recovery Officer,
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Regional Office, 37, Royapettah High Road,
Chennai - 600 014.
5. The Regional Provident Fund Commissioner (Recovery),
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Regional Office, 37, Royapettah High Road,
Chennai - 600 014.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the First Respondent from claiming contribution on allowances from the Petitioner for the period prior to 28.02.2019 pursuant to the representation of the Petitioner dated 01.01.2020.

For Petitioner : Mr.Anand Gopalan,
for M/s.T.S.Gopalan & Co.
For Respondents: Mr.M.Sathyan,
Additional Central
Government Standing Counsel (for R1)
Mr.V.Sundareswaran,
Standing Counsel (for R2 to R5)

O R D E R
(through video conference)

Heard Mr.Anand Gopalan, Learned Counsel for the Petitioner, Mr.M.Sathyan, Learned Additional Central Government Standing Counsel appearing for the First Respondent, Mr.V.Sundareswaran, Learned Standing Counsel appearing for the Second to Fifth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition reserving the right of the Petitioner to raise the contentions in this Writ Petition before the Appellate Authority in the appeal in EPFA No. 171 of 2018 preferred by the Petitioner under Section 7-I of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, against the order determining liability under Section 7-A of that Act. He has also filed a memo dated 08.09.2020 to that effect through e-mail, which is placed on record.

3. Accordingly, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. Though obvious, it is made clear that no view has been expressed by this Court on the correctness or otherwise of the contentions sought to be raised by the Petitioner in the matter. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Secretary (L&S),
Ministry of Labour & Employment,
Govt. of India,
Rafi Marg,
New Delhi - 110 001,
India.
2. The Central Provident Fund Commissioner,
Employees Provident Fund Organisation,
Head Office, Bhavishya Nidhi Bhawan,
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3. The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
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5. The Regional Provident Fund Commissioner (Recovery),
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Regional Office, 37, Royapettah High Road,
Chennai - 600 014.

Copy to

1. The Presiding Officer,
Central Government Industrial Tribunal cum Labour Court,
Shastri Bhawan, 1st Floor, 'B' Wing,
No. 26, Haddows Road,
Chennai - 600 006.

+1cc to M/s.T.S.Gopalan & Co., Advocate, S.R.No.29584

W.P.No.774 of 2020

JP(CO)
CS/02/11/2020