

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2020

CORAM

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

W.P. No. 8683 of 2018
and
W.M.P. No. 10605 of 2018

M/s. Vasambadi Estate,
Represented by LRMK Valliappan,
Joint Receiver,
Vasambadi Estate,
Yercaud - 636 601,
Salem District. Petitioner

-vs-

The Assistant Fund Commissioner,
Employees Provident Fund Organization,
Sub-Regional Office,
Swarnapuri,
Salem - 636 004. Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records passed by the Respondent in the Impugned Order dated 21.08.2017 No. TN/RO/CB/SLM/COMP.1/795/85/ 2017 and quash the same.

For Petitioner :Mr.S.Kalyanaraman

For Respondent :Mr.R.Thirunavukkarasu, Standing Counsel

O R D E R

(through video conference)

The Petitioner on 20.11.2017 has filed this Writ Petition in this Court challenging the order no. TN/RO/CB/SLM/COMP-1/795/S5/2017 dated 21.08.2017 passed by the Respondent, since the Appellate Authority under Section 7-I of the Employees' Provident Fund and Miscellaneous Provisions Act 1952 was not functioning at that time. As it is informed that the Appellate Authority is now entertaining such appeals, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to the Petitioner to challenge the impugned order before the Appellate

Authority and has filed a memo dated 27.07.2020 to that effect, which is placed on record.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. It is made clear that for the purpose of reckoning limitation for filing appeal, the period from the date of filing of the Writ Petition, viz., 20.11.2017 till today, viz., 27.07.2020 shall be excluded. No costs.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

vjt

To

1.The Assistant Fund Commissioner,
Employees Provident Fund Organization,
Sub-Regional Office,
Swarnapuri,
Salem - 636 004.

2. The Section Officer,
ER Section(Writ),
High Court, Madras

+lcc to Mr.S.Kalyanaraman, Advocate SR.No.25300

W.P. No. 8683 of 2018

AD(CO)
GMY(03/08/2020)

सत्यमेव जयते

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