

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2020
CORAM

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

W.P. No. 7639 of 2018

M/s. Texcel International (Private) Ltd.,
Represented by its Chief Operating Officer,
Plot No. 2 & 3, Sengundram Industrial Area,
S.P.Koil Post,
Chengalpet 603 204.

...Petitioner

-vs-

The Regional Provident Fund Commissioner - II (C & R),
Employees Provident Fund Organisation,
Regional Office, Tambaram,
3, Rajaji Salai,
Chennai - 600 045.

...Respondent

Prayer:- Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorari,
calling for the records and quash the order passed by the
Respondent in No. TB/TAM/RO/Enf/CC-II/T-7/65141/2018 dated
09.02.2018.

For Petitioner : Ms. D. Veda for Mr. Meenakshisundaram

For Respondent : Mr. K. Ramu, Standing Counsel

सत्यमेव जयते

O R D E R
(through video conference)

The Petitioner on 26.03.2018 has filed this Writ Petition in
this Court challenging the order No.TB/ TAM/ RO/ Enf/CC-II T-7/
6514/2018 dated 09.02.2018 passed by the Respondent, stating
that the Appellate Authority under Section 7-I of the
Employees' Provident Fund and Miscellaneous Provisions Act 1952
was not functioning at that time. It is also brought to notice
that the Petitioner, which is a company, has been amalgamated
with Model Infra Corporation Private Limited by way a scheme of
amalgamation during the pendency of the Writ Petition. 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 successor-in-interest of 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 Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty.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., 26.03.2018 till today, viz., 24.07.2020 shall be excluded. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Regional Provident Fund Commissioner - II (C & R),
Employees Provident Fund Organisation,
Regional Office, Tambaram,
3, Rajaji Salai,
Chennai - 600 045.

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

W.P. No. 7639 of 2018

MP (CO)
KKV/30/07/2020

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