

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2020

CORAM

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

W.P. No. 11269 of 2020

M/s. Dixcy Textiles Pvt. Ltd.,
10/5 N, Maniosai Nagar,
Poosaripalayam (PO), Chengapalli,
Tiruppur - 638 812,
Represented by Chief Human Resource Officer & Authorised
Signatory
Ms. Shathi Sharma ...Petitioner

-vs-

1. The Secretary (L&S),
Ministry of Labour & Employment,
Govt. of India, Shram Shakthi Bhawan,
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 - I,
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Regional Office, Salem
S.J. Plaza, Swarnapuri,
Salem - 636 004. ...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, quash the order of the Third Respondent dated 04.02.2020 passed in proceedings No. CB/RO/SLM/COMP-II/90302/E-II/2020, direct the Respondent to enforce the provisions of the Employees Provident Fund and Miscellaneous Act, 1952, in a uniform manner in so far as claim for contribution on allowance is concerned.

For Petitioner : Mr. Anand Gopalan,
for M/s. T.S. Gopalan & Co.

For Respondents : Mr. B.Ramaratnam,
Central Government Standing Counsel (for R1)
Mr. R.Thirunavukkarasu,
Standing Counsel (for R2 & R3)

O R D E R
(through video conference)

Heard Mr. Anand Gopalan, Learned Counsel for the Petitioner, Mr. B.Ramaratnam, Learned Central Government Standing Counsel appearing for the First Respondent, Mr. R.Thirunavukkarasu, Learned Standing Counsel appearing for the Second and Third 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. 60 of 2020 preferred by the Petitioner under Section 7-I of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, against the order impugned in this Writ Petition. 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 Accordingly, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications.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. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Secretary (L&S),
Ministry of Labour & Employment,
Govt. of India, Shram Shakthi Bhawan,
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 - I,
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Regional Office, Salem
S.J. Plaza, Swarnapuri,
Salem - 636 004.

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 in SR.NO. 29583

W.P. No. 11269 of 2020

SRA(CO)
CS/03/11/2020

WEB COPY