

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2020

CORAM

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

W.P. No. 33760 of 2014

and

M.P. No. 1 of 2014

M/s. Exemplarr Worldwide Limited,
Represented by its Managing Director,
Ms. V.P. Rajini Reddy,
No. 141, Rajiv Gandhi Salai,
Kottivakkam,
Chennai - 600 041. Petitioner

-vs-

1. The Regional Provident Fund Commissioner (C&R),
Employees Provident Fund Organisation,
R.O. Chennai,
No. 37, Royapettah High Road,
Chennai - 600 014.
2. The Recovery Officer,
Employees Provident Fund Organisation,
R.O. Chennai,
No. 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 Certiorarified Mandamus, calling for the records pertaining to the proceedings of the First Respondent in Order No. CC-II/Div-18/TN/51549/Enf/Regl/14 dated 14.11.2014 and quash the same.

For Petitioner : Ms. C.P. Nivedha
for Mr. A. Jenasenan

For Respondents: Mr. T.R. Sundaram, Standing Counsel

O R D E R
(through video conference)

Heard Ms. C.P. Nivedha, Learned Counsel appearing for the Petitioner, Mr. T.R. Sundaram, Learned Standing Counsel appearing for the Respondents and perused the materials placed on record,

apart from the pleadings of the parties.

2. It is pointed out by the Learned Counsel for the Respondents that the Petitioner has got an effective alternative remedy to challenge the Order No. CC-II/Div-18/TN/51549/Enf/Regl/14 dated 14.11.2014 passed by the First Respondent, which are impugned in this Writ Petition, by approaching the Appellate Authority under Section 7-I of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952,

3. In view of the aforesaid submission made, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the aforesaid procedure and he has sent a confirmatory e-mail dated 04.08.2020 to that effect, which is placed on record.

4. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. It is made clear for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 16.12.2014, till today, viz., 04.08.2020, shall be excluded. Consequently, the connected Miscellaneous Petition is closed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vjt

To

1. The Regional Provident Fund Commissioner (C&R),
Employees Provident Fund Organisation,
R.O. Chennai,
No. 37, Royapettah High Road,
Chennai - 600 014.
2. The Recovery Officer,
Employees Provident Fund Organisation,
R.O. Chennai,
No. 37, Royapettah High Road,
Chennai - 600 014.

+2cc's to Mr.A.Jenasenan, Advocate, Sr.No.26047

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SAI (CO)
GS(14/08/2020)