

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2020

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.35643 of 2019

and

W.M.P.Nos.36543 & 36544 of 2019

M/s.Jaisakthi Matriculation School
Rep. by its Correspondent P.K.Sekar,
kartharapatti, P.N.Halli (PO)
Palacode (TK), Dharmapuri - 636 808. ...Petitioner

vs.

The Assistant Provident Fund Commissioner
Employees Provident Fund Organisation
Regional Office, S.J.Plaza
Swarnapuri, Salem - 636 004. ...Respondent

Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of proceedings bearing Ref.CB/SLM/COMP-II/90190/KNG III Dn/2019 dated 16.04.2019 passed by the respondent under Section 7A of the Employees Provident Fund & Miscellaneous Provisions Act, 1952 to quash the same.

For Petitioner : Mr.P.Thangaraj

For Respondent : Mr.R.Thirunavukkarasu
standing counsel

O R D E R

The petitioner is aggrieved against the order dated 16.04.2019 passed by the respondent under Section 7A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952.

2. It is seen that the petitioner has already filed an appeal before the Employees Provident Fund Appellate Tribunal against the very same impugned order dated 16.04.2019 and the said appeal was dismissed on the ground of limitation, by order dated 13.11.2019. However, the present writ petition is filed only by challenging the order dated 16.04.2019 passed by the respondent without challenging the order of the Tribunal dated 13.11.2019.

3. When the above aspect is pointed out, the learned counsel for the petitioner seeks permission of this Court to withdraw this writ petition with liberty to file a fresh writ

petition with appropriate prayer. Granting such liberty, this Writ petition is dismissed as withdrawn, without expressing any view on the merits of the matter. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

mk

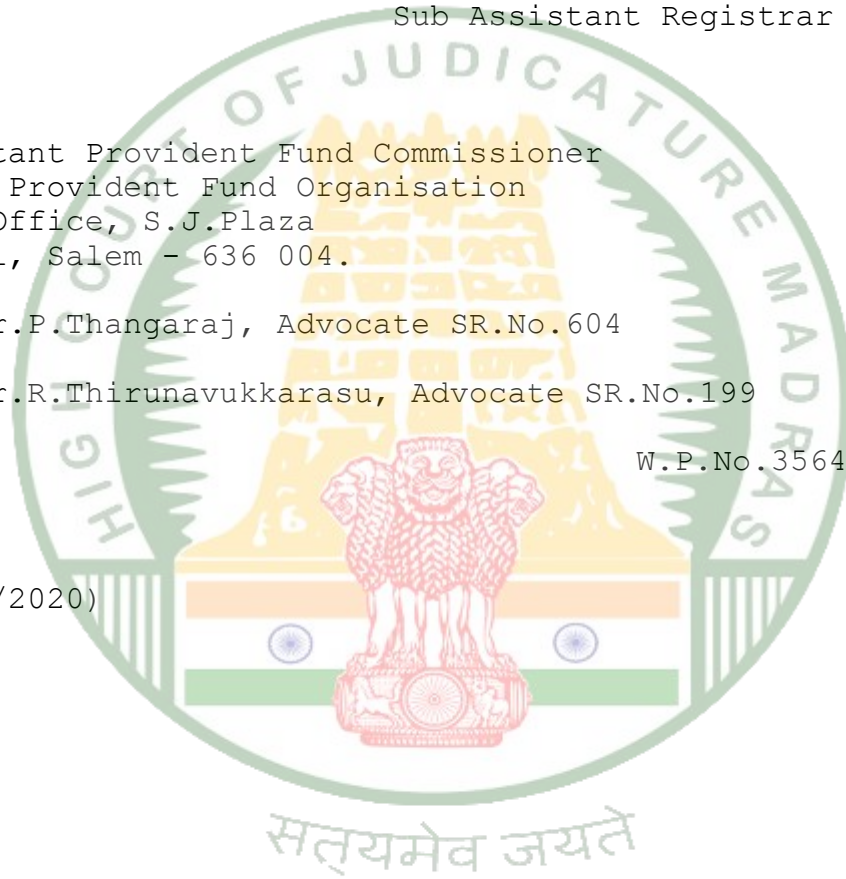
To
The Assistant Provident Fund Commissioner
Employees Provident Fund Organisation
Regional Office, S.J.Plaza
Swarnapuri, Salem - 636 004.

+1cc to Mr.P.Thangaraj, Advocate SR.No.604

+1cc to Mr.R.Thirunavukkarasu, Advocate SR.No.199

W.P.No.35643 of 2019

LN (CO)
GMY (29/01/2020)



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