

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.Nos.2350 & 2357 of 2021
and
W.M.P.Nos.2661 & 2664 of 2021

M/s.Srinivas Waste Management Services Ltd.,
F3, Harmony Enclave, 8, Abbusali Street,
Saligramam, Chennai - 600 093.
Represented by its Director

...Petitioner in both WPs

.Vs.

1. The Regional Provident Fund Commissioner II,
Employees Provident Fund Organisation,
Regional Office, Chennai - II,
37, Royapettah High Road,
Chennai - 600 014.

2.The Recovery Officer,
Employees Provident Fund Organisation,
Regional Office, Chennai - II,
37, Royapettah High Road,
Chennai - 600 014.

...Respondents in both WPs

COMMON PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in proceedings No.TN / CHN South/Recy/CP1/54180/Div21B/Reg1/2021 dated 27.01.2021 for the period 04/2014 to 02/2018 & 04/2016 to 03/2017 respectively, quash the same and forebear the 1st respondent from initiating any recovery or coercive proceedings till hearing of the stay application by the Central Government Industrial Tribunal cum Labour Court, Chennai in EPFA Nos.205 & 207 of 2019, respectively.

For Petitioner : Mr.S.Haroon
for M/s.T.S.Gopalan and Co.

For Respondents : Mr.T.R.Sundaram

...in both Wps

COMMON ORDER

The writ petitioner has come up with the grievance that during the pendency of the appeal against the order passed under Section 14 b of the Act in proceedings No.TN / CHN South/Recy/CP1/54180/Div21B/Reg1/2021 dated 27.01.2021 in EPFA Nos.205 & 207 of 2019, respectively before the Central Government Industrial Tribunal cum Labour Court, Chennai, the respondents are contemplating recovery action.

2. On instructions, the learned counsel for the respondents would submit that the Department has already issued a circular dated 05.08.2020, wherein, instructions were given to the Enforcement Official not to take recovery action in view of pandemic situation, where the appeals are pending. Therefore, no recovery action will be initiated in the above matters.

3. The submission made by the learned counsel for the respondents is recorded.

4. Since no recovery action will be initiated against the writ petitioner in view of the circular issued by the respondents dated 05.08.2020 pending disposal of EPFA Nos.205 & 207 of 2019, no further orders are required in these Writ Petitions. It is also submitted that the Appellate Tribunal has resumed its function recently and therefore, a direction is given to the Appellate Tribunal to dispose of the appeal, as expeditiously as possible.

5. The writ petitions are ordered by the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

Pns

To

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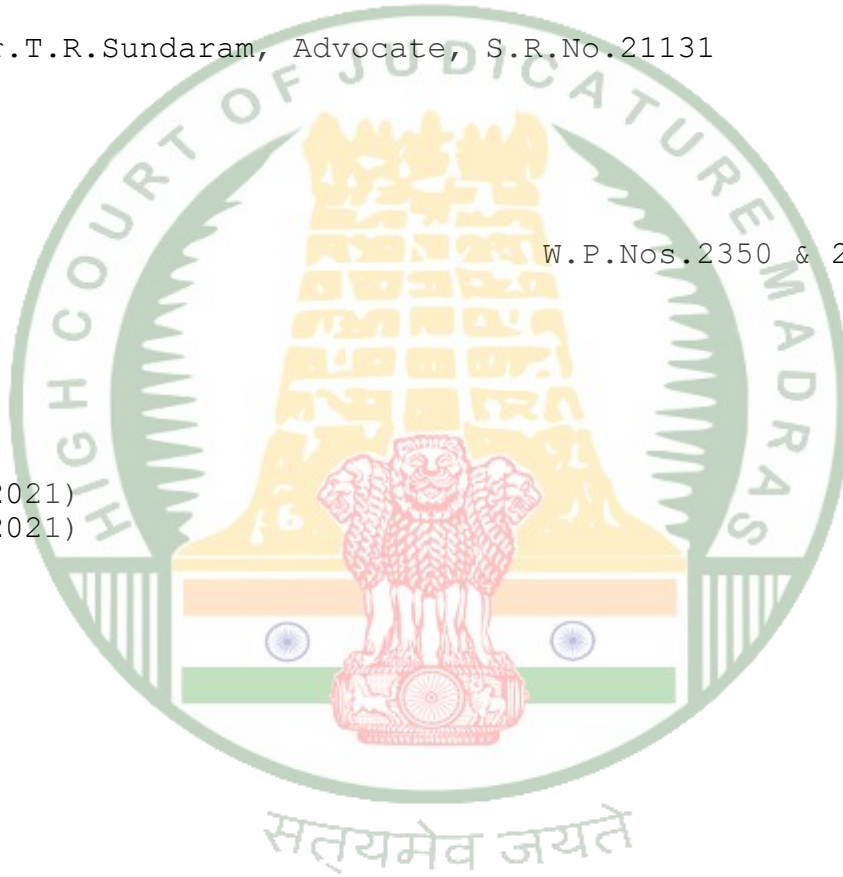
3.The Government Industrial Tribunal,
Labour Court,
Chennai.

+1cc to M/s.T.S.Gopalan & Co, Advocate, S.R.No.21107

+1cc to Mr.T.R.Sundaram, Advocate, S.R.No.21131

W.P.Nos.2350 & 2357 of 2021

UM (CO)
RN (10/05/2021)
RN (28/06/2021)



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