



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2021

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 17380 of 2013

and

M.P. (MD) No. 2 of 2013

WEB COPY

Oppanthakarargal Nala Sangam,  
Represented through its President,  
Sheik Abdul Kadar.

...Petitioner

Vs.

1.The Secretary,  
Department of Ministry of Labour and Employment,  
New Delhi.

2.The Commissioner,  
Employment Provident Fund Organization,  
Madurai Region, Madurai.

3.The Assistant Commissioner,  
Employment Provident Fund Organization,  
Tirunelveli Region,  
Tirunelveli.

4.The Commissioner,  
Kadayanallur Municipality,  
Kadayanallur,  
Tirunelveli District.

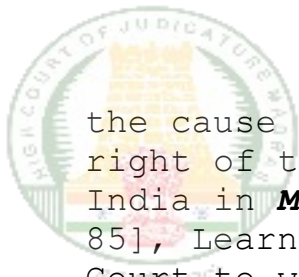
...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the Fourth Respondent's notice in Na.Ka.No.4334/2013/E1 dated 06.08.2013 and quash the same within the period stipulated by this Court.

|                |                       |
|----------------|-----------------------|
| For Petitioner | : Mr. A.Haja Mohideen |
| For R-1        | : Mr. L.Nandagopal    |
| For R-2        | : No appearance       |
| For R-3        | : Mr. K.MuraliShankar |
| For R-4        | : Mr. R.Ragaventhiran |

**O R D E R**  
**(through video conference)**

When it is pointed out that the Petitioner, which is an  
<https://hccs.courtsofmadras.org/> cannot file a Writ Petition seeking relief espousing



the cause of its individual members and does not affect any legal right of that Association as held by the Hon'ble Supreme Court of India in **Mahinder Kumar Gupta -vs- Union of India** [(1995) 1 SCC 85], Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to the individual members of the Petitioner Association to work out their remedy before appropriate forum in the manner recognized by law. He has also filed a memo dated 20.07.2021 to that effect through e-mail, which has been placed on record.

2. In the result, this Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petition is dismissed. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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**Note:**

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Secretary,  
Department of Ministry of Labour and Employment,  
New Delhi.
- 2.The Commissioner,  
Employment Provident Fund Organization,  
Madurai Region, Madurai.
- 3.The Assistant Commissioner,  
Employment Provident Fund Organization,  
Tirunelveli Region,  
Tirunelveli.



4.The Commissioner,  
Kadayanallur Municipality,  
Kadayanallur,  
Tirunelveli District.

+1 CC to M/s.K.MURALI SANKAR, Advocate (SR-23455[F] dated  
22/07/2021)

W.P. (MD) No. 17380 of 2013  
20.07.2021

KS (CO)  
SB(27.08.2021) 3P 6C