



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2022

Coram

The Hon'ble Mr. Justice V.PARTHIBAN

W.P.No.26407 of 2016

&

W.M.P.No.22630 of 2016

M/s.V.S.T.Service Station - Salem,
Gove Buildings, 144, Anna Salai,
Chennai - 600 002.
Rep by its Asst.General Manager
Mr.S.P.Vellayappan.

...Petitioner

Vs.

The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
37, Royapettah High Road,
Chennai - 600 014.

...Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, forbearing the respondent from continuing the proceedings in No.CHN/TN/3045A/Div 17/Eng/Regl/2015 dated 28.07.2015 and initiating any enquiry.

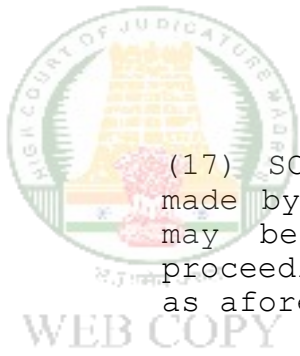
For Petitioner .. Mr.Anand Gopalan
for Mr.T.S.Gopalan & Co.

For Respondents .. Mr.T.R.Sundaram

ORDER

The petitioner company has approached this Court challenging Section 7A proceedings dated 28.07.2015 of the respondent / Organization.

2.When the matter is taken up for hearing, it is represented by both the learned counsels for the parties that in regard to the subject matter, the Hon'ble Supreme Court has taken view in the matter of Regional Provident Fund Commissioner (II) West Bengal Vs. Vivekananda Vidyamandir and others reported in 2020



(17) SCC 643 in C.A.No.6221 of 2011. Therefore, a request is made by the learned counsel for the petitioner that a direction may be issued to the respondent to proceed with the 7A proceedings in terms of the ruling of the Hon'ble Supreme Court as aforementioned.

3.The learned counsel for the respondent would have no issue in disposing of the above writ petition as requested above.

4.Therefore, for the above said reason, the Writ Petition stands disposed of with a direction to the respondent to proceed with action in pursuance of the 7A proceedings which is the subject matter of challenge in this Writ Petition in terms of judgment reported in 2020 (17) SCC 643.

5. With the above observations, the Writ Petition stands disposed of. No costs. Consequently the connected miscellaneous petition stands closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mrm

To

The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
37, Royapettah High Road,
Chennai - 600 014.

+1cc to Mr.T.S.Gopalan & Co., Advocate, S.R.No.11875

+1cc to Mr.T.R.Sundaram, Advocate, S.R.No.11895

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BP[co]
NSK 23/03/2022