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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2022

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE Mr.JUSTICE KUMARESH BABU

W.A.No.3551 of 2019
and CMP.No.22805 of 2019

The Management
Sri Ambal Mills Ltd.,
No.89, Rathina Sabapathy Street
Cooperative Colony
Coimbatore - 641 038.
Rep by C.D.Menon, Director. .... Appellant

Vs

1.The Assistant Provident Fund Commissioner
Employees Provident Fund Organisation
Regional Office, Bhavishyanidhi Bhavan
P.B.No.3875, Dr.Balasundaram Road
Coimbatore - 641 018.

2.The Recovery Officer
Employees Provident Fund Organisation
Regional Office, Bhavishyanidhi Bhavan
P.B.No.3875, Dr.Balasundaram Road
Coimbatore - 641 018. .... Respondents

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Prayer : Writ Appeal filed under Clause 15 of Letters Patent praying to set aside the order passed in W.P.No.693 of 2013 dated 11.06.2019 on the file of this Court.

For Appellant : Mr.R.Raghavan
for Mr.S.Jayaraman

For Respondents : Mr.C.Kulanthaivelu

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN.J]

It is seen from the order of the learned Single Judge that the petitioner was not represented when the writ petition in W.P.No.693 of 2013 came to be disposed of on 11.06.2019.

2. Mr.R.Raghavan, learned counsel appearing for the appellant would submit that the appellant/petitioner would be satisfied with an opportunity of being heard in the writ petition.

3. Considering the fact that the appellant/petitioner was not represented by a counsel in the writ petition, and the writ petition came to be disposed of on merits, we are of the considered opinion that the appellant/petitioner should be

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given a chance to argue the writ petition before the learned Single Judge. Hence, without going into the merits of the rival claims, the writ appeal is allowed and the order of the learned Single Judge dated 11.06.2019 in W.P.No.693 of 2013 is set aside on the ground that it is an exparte order and the matter is remitted to learned Single Judge for being disposed of in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

[RSMJ] [KBJ]
27.09.2022

Index : Yes / No
Speaking order / Non-speaking order
ds

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R.SUBRAMANIAN. J.,

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