



W.P.(MD).No.17788 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.17788 of 2014

and

M.P.(MD).No.2 of 2014

Sri Nagananthana Mills
Workers Union,
Vakkanangundu Post,
Kariapatti, Virudhunagar District,
through its President V.Ramanathan

... Petitioner

Vs.

1.Regional Provident Fund Commissioner II,
Employee's Provident Fund Organization,
Regional Office,
Lady Doak College Road,
Chokkikulam,
Madurai – 2.

2.M/s.Sri Nagananthana Mills Private Limited,
Vakkanankundu Post,
Aruppukottai Taluk,
Virudhunagar District,
through its Managing Director,
Tmt.V.Gurugammal

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the file of the first respondent in File No.TN/24116/MDU/Enf.C/Circle.16/2014 dated 08.10.2014 and to quash the same and consequently direct the first respondent to give sufficient opportunity to the petitioner and to furnish the copy of the inspection report and permit the petitioner to produce the evidences before the first respondent and then pass suitable orders.

For Petitioner : No Appearance

For R-1 : Mr.K.MuraliSankar

For R-2 : Mr.C.Karthikeyan

ORDER

The second respondent is an establishment covered under the Employees Provident Fund Act. This Writ Petition is filed by the second respondent Mill Workers Union. The Union has challenged the order passed by the first respondent under 7A proceedings.

2. Both the learned counsel appearing for the first and second respondents submitted before this Court that the second respondent is under liquidation and the proceedings are pending before the official liquidator.



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3. Therefore, this Court cannot adjudicate the issue at this point of time.

Therefore, the Union is at liberty to implead themselves before the official liquidator and contest if there is any issue regarding the issue that is raised before this Court.

4. With the above liberty, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

22.11.2022

Index : Yes / No
Internet : Yes/ No
Nsr

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S.SRIMATHY, J.

Nsr

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