



W.P.No.9402 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM

THE HONOURABLE MR. JUSTICE D.NAGARJUN

W.P.No.9402 of 2015

and

M.P.No.1 of 2015

Chemplast Sanmar Limited

... Petitioner

Vs.

The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Royapettah High Road, Chennai-14.

... Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, forbearing the Respondent from continuing with the proceedings initiated against the Petitioner under Section 7A of the EPF Act vide Notice Ref.No. CHN/TN/6236/Div.19/Eng/Regl/2015 dated 19/03/15 till the pronouncement of the judgment by the Division Bench of this Honourable Court in W.A. Nos. 982, 985, 1026, 1343 and 1344 of 2011 and SLP Civil 8781-8782/12 since numbered as Civil Appeals Nos.3965-3966/2013 by the Honourable Supreme Court.



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For Petitioner : Mr.Sai Raaj Associates

For Respondent : Mr.S.M.Deenadayalen (Through V.C.)

ORDER

This writ petition is filed seeking for a direction to forbear the Respondent from continuing with the proceedings initiated against the Petitioner under Section 7A of the EPF Act vide Notice Ref.No. CHN/TN/6236/ Div.19/Eng/Regl/2015 dated 19/03/15 till the pronouncement of the judgment by the Division Bench of this Honourable Court in W.A. Nos. 982, 985, 1026, 1343 and 1344 of 2011 and SLP Civil 8781-8782/12 since numbered as Civil Appeals Nos.3965-3966/2013 by the Honourable Supreme Court.

2. It is informed by learned counsel for both the sides that the Hon'ble Supreme Court of India in ***Surya Roshini Ltd., Vs. Employees Provident Fund*** (Order dated 28.02.2019 in Civil Appeal Nos.3965-3966 of 2013) has made the authoritative pronouncement on the question involved in the matter. In view of the same, the Respondent shall proceed



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to determine the matter following the prescribed procedure after affording full opportunity of hearing to all persons concerned including the Petitioner, consider each of the contentions raised by the parties and pass reasoned orders on merits in accordance with law and communicate the decision taken to them under written acknowledgement.

3. Accordingly, the Writ petition stands **disposed of** on the aforesaid terms. Consequently, connected Miscellaneous Petition is closed. No costs.

01.11.2023

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)

To

The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Royapettah High Road, Chennai-14.



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D.NAGARJUN. J.,

(sha)

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