



W.P.No.7520 of 2024

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2024

CORAM :

The Hon'ble MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**W.P.No.7520 of 2024
and WMP No.8431 of 2024**

M/s Bharat Sanchar Nigam Limited,
Represented by N.Vinod, Assistant General
Manager(Admn/Legal), O/o General Manager,
Sreerangapalayam, Salem-636 007.

.. Petitioner

-VS-

The Assistant Provident Fund Commissioner,
Regional Office, Employees Provident Fund
Organisation, Salem Steel Plant Road,
Dalavaipatti, Salem -636 302.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent not to initiate or proceed with any coercive action in culmination of the order passed under Sec.7A and para 26-B of the EPF & MP Act, 1952, dated 29.11.2023, till passing of any orders by listing the Appeal filed in SR No.71/2024, before the Central Government Industrial Tribunal.

For Petitioner : Mr.S.Gopinathan



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For Respondent : Mr.P.K.Panneerselvam
Standing Counsel

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ORDER

This writ petition is filed challenging the order passed under Section 7A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 dated 29.11.2023. As against the said order passed under Section 7A, the petitioner has a remedy of appeal under Section 7(i) of the Act before the appropriate forum.

2. At the time of entertaining the writ petition, there was no Presiding Officer in the appellate forum and as such, the writ petition was entertained. Today, when the matter came up for hearing, learned counsel for both sides would submit that the memorandum of appeal filed by the petitioner is also taken on file in E.P.F.A.No. 71 of 2024 and the same is pending. The conditional order of stay granted by this Court is also complied with.



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3. Recording the submission of the learned counsel, this writ petition is closed, with a further direction for the parties to agitate their rights before the pending appeal. The appellate authority shall consider the appeal on merits and in accordance with law and pass orders thereon. No costs. Consequently, connected miscellaneous petition is closed.

29.11.2024

Index : No
NC : No
Speaking

sra

To

The Assistant Provident Fund Commissioner,
Regional Office, Employees Provident Fund Organisation,
Salem Steel Plant Road,
Dalavaipatti, Salem -636 302.



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D.Bharatha Chakravarthy, J.

(sra)

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