



W.P. No.21720 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM :

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.21720 of 2024
and
W.M.P.No.23696 of 2024

M/s.Veequesy Footcare (India) Pvt Ltd.,
SIDCO Indl Estate,
Malumachampatti post,
Coimbatore-641042
Represented by its Plant Manager.

... Petitioner

Vs.

The Regional Provident Fund Commissioner – II,
Employees' Provident Fund Organization
Bhavishya Nidhi Bhavan, P.B.No.3875,
Dr.Balasundaram Road,
Coimbatore-641 018.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus forbearing the respondent from proceeding any further in terms of Proceedings No.TN/RO/CBE/CC-1(11)/73497/Proceedings/2024 dated 27.06.2024 issued under Section 7A of the Employees Provident Funds and Miscellaneous Act, 1952 until the appeal filed by the Petitioner before Hon'ble Central Government Industrial Tribunal, Chennai is taken up for admission.



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For Petitioner : Mr.Ananda Krishnan for
Agam Legal Advocates.

For respondent : Mr.P.K.Panneer Selvam

ORDER

Heard Mr.Ananda Krishnan, learned counsel for the petitioner and Mr.P.K.Panneer Selvam, learned counsel for the respondent.

2. The grievance of the petitioner in this writ petition is that the appeal filed by the petitioner before the Central Government Industrial Tribunal cum Labour Court, Sastri Bhavan, Chennai, against the order bearing No. TN/RO/CBE/CC-1 (11)/73497/Proceedings/2024 dated 27.06.2024 is not taken up by the appellate Tribunal, as there is no regular officer posted to take up the proceedings.

3. According to the learned counsel on either side, the presiding officer kept in charge of the post of the said Tribunal is not likely to take up any proceedings till the end of August and because of the same, the appeal as well as the stay application filed by the petitioner herein could not be taken



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up for consideration. In view of the same, the petitioner approached this Court by filing the present writ petition seeking stay of the impugned proceedings. The learned counsel on either side submitted that the said Tribunal is likely to function only in the month of September 2024.

4. In the light of the above, this Court is of the considered view that it is appropriate in the facts and circumstances to keep the order dated 27.06.2024 in abeyance for a period of two months. If for any reason, the said appeal/stay application filed by the petitioner is not taken up for consideration by the said Tribunal even after the same is numbered and ready for consideration, the petitioner is granted liberty to take appropriate steps.

5. Accordingly, the writ petition is disposed of and the connected miscellaneous petitions if any shall stand closed. No costs.

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Index : Yes/No
Speaking Order : Yes/No

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MUMMINENI SUDHEER KUMAR,J.

dpa

To:

The Regional Provident Fund Commissioner – II,
Employees' Provident Fund Organization
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