



CMP(MD) No.9888 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Twenty Ninth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD) No.9888 of 2022
in
WA(MD) SR No.64025 of 2022

THE ASSISTANT PROVIDENT FUND COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANISATION,
REGIONAL OFFICE NO.1,
LADY DOCK COLLEGE ROAD,
MADURAI DISTRICT.

... Petitioner / Appellant

Vs

1 EMPLOYEES PROVIDENT FUND APPELLATE TRIBUNAL,
SCOPE MINOR CORE II 4TH FLOOR,
LAXMI NAGAR, DISTRICT CENTRE,
LAXMI NAGAR,
NEW DELHI.

2 PRAKASH PAPER CAPS,
REPRESENTED BY ITS MANAGER,
NO.3/714, VISWANATHAN VILLAGE,
VIRUDHUNAGAR DISTRICT - 626 123.

... Respondents / Respondents

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 551 days in filling the writ appeal.



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PRAYER IN WA(MD) SR No.64025 of 2022:

To allow the writ appeal and set aside the order dated 26.03.2019 passed in WP(MD) No.9233 of 2010 on the file of this Hon'ble High Court.

Prayer in WP(MD). 9233/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARI, to call for the records pertaining to the impugned order passed by the 1st respondent made in ATA. No. 425(13) 2008, dated 03.03.2009 and quash the same.

ORDER : This civil miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.MURALISANKAR, Advocate for the petitioner and of Mr.C.G.PETHANARAJ, Advocate on behalf of the Respondent No.2 and of Respondent No.1 given up vide order dated 12.01.2024, the court made the following order:-

(Order of the Court was made by D.KRISHNAKUMAR, J.)

This petition is filed to condone the delay of 551 days in filing the W.A.SR.(MD)No.64025 of 2022.

2. The learned counsel for the second respondent / contesting respondent has filed counter raising objections for allowing this application.

3. We have gone through the entire affidavit filed in support of this application. The reasons stated in the affidavit are not acceptable reasons. However, considering the request made by the learned counsel for the petitioner, this petition can be allowed on payment of cost of Rs.5,000/- (Rupees Five Thousand only). The said amount shall be paid to the credit of the Environmental Committee Operated



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by Registrar (Judicial) [Account No.7633863037; MICR Code: 625019020, CIF No:

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30602376727, IFSC Code: IDIB000H040, High Court Branch, Madurai (2001)] within

a period of one week from the date of receipt of a copy of this order.

4. Post the matter after two weeks for reporting compliance.

sd/-

29/01/2024

/ TRUE COPY /

/02/2024

Sub-Assistant Registrar

(C.S. I / II / III /IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

SJ

To

1 THE ASSISTANT PROVIDENT FUND COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANISATION,
REGIONAL OFFICE NO.1,
LADY DOCK COLLEGE ROAD,
MADURAI DISTRICT.

2 EMPLOYEES PROVIDENT FUND APPELLATE TRIBUNAL,
SCOPE MINOR CORE II 4TH FLOOR,
LAXMI NAGAR,
DISTRICT CENTRE,
LAXMI NAGAR,
NEW DELHI.



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**THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.**

+2CC to M/s.K.MURALISANKAR, Advocate, SR.No.2275(F), dated 29.01.2024

**ORDER
IN
CMP(MD) No.9888 of 2022
in
WA(MD) SR No.64025 of 2022
Date :29/01/2024**

ED/ GS /SAR- (01/02/2024) 4P / 6C

**Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023**