



WP(MD) No.30444 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.30444 of 2023
and
W.M.P(MD)No.26206 of 2023

M/s. Manna Foods Private Ltd.,
Nagari Atyyankottai Post,
Thanichiam Via, N.H.- 7,
Madurai - 625221.

... Petitioner

Vs.

The Regional Provident Fund Commissioner II,
Employees Provident Fund Organisation,
Chockikulam,
Madurai - 625002.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing



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the Respondent Authority not to take any steps to enforce Order dated 06.10.2023 pending appointment of Presiding Officer for Appellate Authority U/s.7D of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (Central Government Industrial Tribunal-cum-Labour court) where Appeal has been filed by the petitioner under Section 14B against the said order dated 06.10.2023.

For Petitioner : Mr.C.Muthusaravanan
for M/s.Ramasubramaniam and Associates
For Respondent : Mr.V.S.Karthi
Standing Counsel

ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the Respondent Authority not to take any steps to enforce Order, dated 06.10.2023 pending appointment of Presiding Officer for Appellate Authority U/s.7D of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (Central



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Government Industrial Tribunal-cum-Labour court) where Appeal has been filed by the petitioner under Section 14-B against the said order, dated 06.10.2023.

2. Heard Mr.C.Muthusaravanan, learned counsel for the petitioner, Mr.V.S.K.arthi, learned Standing Counsel appearing for the respondent.

3. The learned counsel for the petitioner has submitted that appeal has been filed in time, however, it is pending for disposal due to the vacancy in the post of Presiding Officer in Tribunal.

4. Now, it is learnt that additional charge arrangements have been made and Acting Judge from Lucknow is scheduled to sit on 22, 23 and 24th of April, 2024. In such case, the petitioner has got the possibility of getting his appeal conducted by the Acting



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Judge.

5. Since the merits of the matter is under consideration of the Tribunal, till such time, no coercive steps to recover be taken until disposal of the appeal.

6. With the above direction, this Writ Petition is **disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

16.04.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

RM



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To

The Regional Provident Fund Commissioner II,
Employees Provident Fund Organisation,
Chockikulam,
Madurai - 625002.



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.30444 of 2023

Dated:
16.04.2024