



WEB COPY

WP No. 25269 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

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THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 25269 of 2026

AND

WMP NO. 27561 OF 2026

M/s.HOTEL DEE CEE MANOR
Rep. by its Partner, Mr.D.Sambasiva
No.90 G.N.Chetty Road
T.Nagar, Chennai 17.

..Petitioner(s)

Vs

Recovery officer, Chennai South
Employees Provident Fund Organisation
Regional Office, 37 Royapettah High Road
Chennai 14.

..Respondent(s)

Prayer: This Writ Petition is filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to call for records of Impugned Prohibitory order bearing Ref.No. TN / RO / CHN / South / 35579 / Recovery / Div-33 / CP3 /2026 dated 18.05.2026 passed by the Respondent herein and quash the same and allow the petitioner to pay the remaining due amount in 36 equal monthly instalments.

For Petitioner(s): Mr.P.Thangaraju

For Respondent(s): Ms.S.Harinyi



ORDER

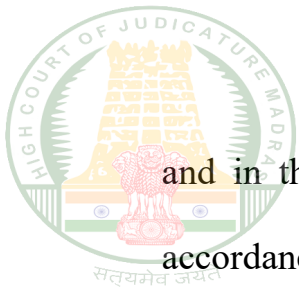
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The petitioner has filed the present Writ Petition challenging the prohibitory order bearing Ref.No.TN/RO/CHN/Sough/35579/Recovery /Div-33/CP3/2026 dated 18.05.2026 issued by the respondent and seeking a direction to permit the petitioner to discharge the outstanding Employees Provident Fund dues in instalments.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel for the petitioner submitted that the petitioner-establishment has been facing severe financial constraints and that though there was no wilful default in remittance of the provident fund dues, the petitioner is presently in a position to clear the outstanding amount by way of instalments. It is therefore prayed that reasonable time may be granted to pay the dues and that the respondent may be directed to defer coercive recovery proceedings.

4. The learned counsel for the respondent submitted that the amount is legally due and payable. However, if this Court is inclined to grant instalment facility, the petitioner may be directed to adhere strictly to the payment schedule



and in the event of default, the respondent may be permitted to proceed in accordance with law.

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5. Considering the facts and circumstances of the case, the submissions made by the learned counsel on either side and without expressing any opinion on the merits of the claim, this Court is inclined to grant the petitioner the benefits of instalment payment.

6. Accordingly, the petitioner is permitted to pay the outstanding amount in Ten (10) equated monthly instalments subject to the following conditions:-

- i) the first instalment shall be paid on or before 05.08.2026.
- ii) the remaining nine instalments shall be paid on or before the 5th day of every succeeding month without default.
- iii) Upon payment of the first two instalments, the respondent shall forthwith defreeze the petitioner's bank account, if the same continues to remain frozen pursuant to the impugned proceedings.
- iv) if the petitioner commits default in payment of any one of the instalments, it is open to the respondent to proceed against the petitioner in accordance with law for recovery of the entire balance amount, without any further reference to this Court.



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K.SURENDER J.

JAI

7. With the above observations and directions, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

K.SURENDER J.
03-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JAI
To
Recovery officer, Chennai South
Employees Provident Fund Organisation
Regional Office, 37 Royapettah High Road
Chennai 14.

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