



WEB COPY

WP No. 27080 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

CORAM

THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 27080 of 2026

Economical Roofs And Structures
No.7 Balavinayaka Nagar
No.1 Main Road, Arumbakkam
Chennai 600106.

..Petitioner(s)

Vs

Regional Provident Fund Commissioner
Employees Provident Fund Organisation
(Ministry of Labour and Employees
Government of India) Bhavishya Nidhi Bhawan
No.37 Royapettah High Road,
Chennai 600014.

..Respondent(s)

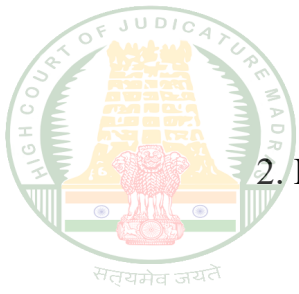
Prayer: Writ Petition filed under Article 226 of Constitution of India seeking Writ of Mandamus to direct the respondent herein to consider the representation, dated 11.05.2026 submitted by the petitioner.

For Petitioner(s): Mr.M.Vijaya Kumar

For Respondent(s): Mr.R.Vishnu

ORDER

The petitioner has filed the present Writ Petition seeking a direction to the respondent to consider the petitioner's representation dated 11.05.2026 requesting permission to remit the balance amount payable pursuant to the order passed by the Employees' Provident Fund Appellate Tribunal in instalments.

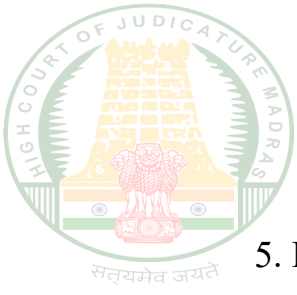


2. Mr.R.Vishnu, the learned counsel takes notice for the respondent.

3. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

4. The brief facts of the case are as follows:

The petitioner is a partnership firm engaged in business. The respondent by order dated 05.08.2021, levied damages of Rs.4,13,886/- under Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 for the period from November 2013 to February 2020. Challenging the said order, the petitioner preferred EPF Appeal No.78 of 2021 before the Appellate Tribunal. During the pendency of the appeal, the Tribunal, by an interim order dated 26.05.2022, directed the petitioner to deposit Rs.75,000/-, which was duly complied with. Subsequently, by order dated 17.02.2026, the Appellate Tribunal partly allowed the appeal by granting 25% waiver of the damages. After adjusting the amount already deposited and 25% of waiver amount, the petitioner is liable to pay a balance sum of Rs.2,35,415/-. As the petitioner's business has been closed and it is facing sever financial hardship, the petitioner submitted a representation dated 11.05.2026 to the respondent requesting permission to pay the balance amount in 15 equal monthly instalments. Since the said representation has not been considered, the petitioner has filed the present Writ Petition.



5. Heard both sides and perused the records.

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6. Taking note of the peculiar facts and circumstances of the case, particularly the financial condition of the petitioner's company, which has ceased its business operations and in order to afford a reasonable opportunity to the petitioner to discharge the liability, this Court deems it appropriate to reduce the damages payable by the petitioner to a sum of Rs.2,00,000/- from Rs.2,35,415/-.

7. The petitioner shall pay the amount of Rs.2,00,000/- in four equal monthly instalments starting from August 2026.

8. It is made clear that in the event of default in payment of any of the instalments within the stipulated time, it is open to the respondent to proceed in accordance with law for recovery of the entire outstanding amount without any further reference to this Court.



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K.SURENDER J.

JAI

9. With the above directions, the Writ Petition stands disposed of. No costs.

14-07-2026

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

JAI

To
Regional Provident Fund Commissioner
Employees Provident Fund Organisation
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