

W.P.(MD)No.17270 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.17270 of 2026

and

W.M.P.(MD)No.12796 of 2026

The General Manager,
Madurai District Co-Operative Mil Producers' Union,
Sivagangai Main Road,
Sathamangalam Main Road,
Arignar Anna Nagar, Madurai – 625 020. ... Petitioner

vs.

1.The Regional PF Commissioner - II and Recovery Officer,
Regional Office, Bavishya Nidhi Bhavan,
Chokkikulam, Madurai – 625 002.

2.The Royal Facility Services,
140, Karal Marx 3rd Street,
Indirani Nagar, Mudakku Salai,
Madurai – 625 016. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records of the file the 1st Respondent related to the impugned order No.MD/MDU/59131/Recy/M-5/2025, dated 13.11.2025, quash the same as non-est and unsustainable under law as well as on facts.



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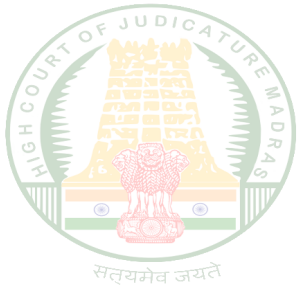
For Petitioner :Mr.M.Ganesan
For R1 :Mr.I.Suthakaran

ORDER

The petitioner challenges the impugned notice dated 13.11.2025 issued by the first respondent, whereby the petitioner has been called upon to remit a sum of Rs.3,92,684/- towards the employer's contribution under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, failing which recovery proceedings under Sections 8B to 8G of the Act would be initiated. The demand pertains to the period from 03.03.2010 to 20.08.2018.

2. The petitioner challenges the impugned notice primarily on the ground that it had entered into a contract with the second respondent for outsourcing employees only for the period from 11.04.2014 to 09.06.2016. It is contended that the impugned demand includes dues pertaining to the period prior to the commencement of the contract as well as the period subsequent to its expiry.

3. Heard the learned counsel appearing on either side.



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4. A perusal of the impugned notice reveals that no reasons have been assigned for arriving at the conclusion that the petitioner is liable to pay a sum of Rs.3,92,684/-. Further, the petitioner was not afforded an opportunity of hearing before issuance of the demand notice. The impugned notice is, therefore, violative of the principles of natural justice.

5. Accordingly, the writ petition is allowed and the impugned notice dated 13.11.2025 issued by the first respondent is hereby set aside. However, liberty is reserved to the first respondent to issue a fresh, reasoned notice setting out the basis of the demand, if any, within a period of two weeks from the date of receipt of a copy of this order. Upon receipt of such notice, the petitioner shall be at liberty to submit its explanation within a period of four weeks thereafter. On receipt of the explanation, the first respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after affording the petitioner an opportunity of personal hearing.



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6. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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

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cmr



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HEMANT CHANDANGOUDAR, J.

cmr

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