

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

MONDAY, THE 30TH DAY OF MARCH 2015/9TH CHAITHRA, 1937

WP(C).No. 22754 of 2010 (T)

PETITIONER(S):

**SREEDHARAN NAIR, AGED 67 YEARS,
S/O.LATE NEELAKANDAN PILLAI, MADHEVI MANDIRAM
ATTINGAL P.O., THIRUVANANTHAPURAM.**

BY ADV. SRI.C.M.STEPHEN

RESPONDENT(S):

**THE REGIONAL COMMISSIONER,
EMPLOYEES' PROVIDENT FUND ORGANISATION
BHAVISHYANIDHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.**

**R,R1 BY ADV. SRI.N.N. SUGUNAPALAN, SC, P.F.
R,R1 BY ADV. SMT.T.N.GIRIJA, SC,EPF ORGANISATION**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 30-03-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

APPENDIX

PETITIONERS EXHIBITS

- EXT.P1 COPY OF THE DEED DATED 23.10.2006.
- EXT.P2 COPY OF THE COMMUNICATION/PROCEEDINGS OF THE
RESPONDENT DATED 5.2.10.
- EXT.P3 COPY OF THE EXPLANATION/REPLY OF THE PETITIONER DATED
16.2.10.
- EXT.P4 COPY OF THE PROCEEDINGS OF THE RESPONDENT DATED 8.3.10.
- EXT.P5 COPY OF THE EXPLANATION/REPLY OF THE PETITIONER DATED
11.3.10.

RESPONDENTS EXHIBITS: **NIL**

// TRUE COPY //

PA to Judge

SB

K. VINOD CHANDRAN, J.
=====

W.P.(C) No.22754 of 2010 - T
=====

Dated this the 30th day of March, 2015

J U D G M E N T

The above writ petition was filed by the petitioner herein, aggrieved by Exts.P2 and P4. Ext.P2 is a notice under Sections 7Q and 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (for brevity, 'EPF & MP Act'). Ext.P4 with respect to the very same establishment, is a proceedings for the period from 03/2007 to 02/2008, again under Sections 7Q and 14B of the EPF & MP Act. As far as the order under Section 7Q of the EPF & MP Act is concerned, there is no appeal provided since, the interest liability is automatic as per **M/s. Arcot Textile Mills Ltd. v. Regional Provident Fund Commissioner and others [AIR 2014 295]**. Section 14B of the EPF & MP Act proceedings are appealable under the provisions of the EPF & MP Act.

2. The petitioner obviously has not filed any appeal from the said order. In the writ petition also, though there was a stay granted for one month from 19.08.2010, the same has not been extended. There is no appearance for the petitioner, when the matter was taken up.

The writ petition is found to be devoid of merit and the the same would stand dismissed.

Sd/-
K. VINOD CHANDRAN,
JUDGE

SB

// true copy //

P.A to Judge