

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 5TH DAY OF FEBRUARY 2015/16TH MAGHA, 1936

WP(C).No. 35723 of 2007 (C)

PETITIONER(S):

1. SHAJI P.B.,
SECRETARY, THE TRAVANCORE TEXTILES HANDLOOM
WEAVERS' INDUSTRIAL (WORKSHOP) CO-OPERATIVE
SOCIETY LTD.NO.T.315, NEMOM,
THIRUVANANTHAPURAM DISTRICT - 695 020.
2. P.MANIKANTAN, MANAGING COMMITTEE MEMBER,
THE TRAVANCORE TEXTILES HANDLOOM WEAVERS'
INDUSTRIAL (WORKSHOP) CO-OPERATIVE SOCIETY LTD.NO.
T.315, NEMOM, THIRUVANANTHAPURAM DIST-695 020
RESIDING AT MOONNUMUKKANVILA VEEDU, PRAVACHAMBALAM
NEMOM P.O., THIRUVANANTHAPURAM-20.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR

RESPONDENT(S):

1. ASSISTANT PROVIDENT FUND COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANISATION
REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN, PATTOM
THIRUVANANTHAPURAM-695 004.
2. THE RECOVERY OFFICER,
EMPLOYEES PROVIDENT FUND ORGANISATION
REGIONAL OFFICE, BHAVISHYANIDHI BHAVAN, PATTOM
THIRUVANANTHAPURAM-695 004.
3. DIRECTOR OF HANDLOOM INDUSTRIES,
THIRUVANANTHAPURAM.

**R1 & 2 BY SMT.T.N.GIRIJA, SC,
R3 BY GOVERNMENT PLEADER SRI.V.K.RAFFEQ**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05-02-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

PJ

K. Vinod Chandran, J.

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W.P.(C)No.35723 of 2007

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Dated this the 5th day of February, 2015.

JUDGMENT

Petitioner, on behalf of an Industrial Co-operative Society, challenges the proceedings initiated by respondents 1 and 2 for sale of property for satisfaction of dues under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. Petitioner's contention in the writ petition was that, they would, in fact, sell a portion of the property attached, to satisfy the dues. This Court, by interim order dated 3.12.2007, directed that the petitioner shall file a representation before the first respondent with a proposal, which shall be considered, as sympathetically as possible. In such circumstances, if the petitioner had approached the Provident Fund Authority, definitely, an order would have been passed, in

compliance with the interim order. In any event, nothing survives in the writ petition. Learned counsel for the petitioner also submits that, despite various communications, petitioner has not instructed the counsel. For all the above reasons, writ petition is dismissed as infructuous.

K. Vinod Chandran, Judge.

sl.