

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.CHITAMBARESH

TUESDAY, THE 27TH DAY OF OCTOBER 2015/5TH KARTHIKA, 1937

WP(C).No. 31738 of 2015 (N)

PETITIONER:

**THE MALAPPURAM CO-OPERATIVE SPINNING MILLS LTD
DOWN HILL POST,
MALAPPURAM 676 519
REPRESENTED BY ITS MANAGING DIRECTOR.**

**BY ADVS.SRI.K.ANAND (SR.)
SRI.M.N.RADHAKRISHNA MENON**

RESPONDENT:

**ASSISTANT P.F.COMMISSIONER
EMPLOYEES PROVIDENT FUND ORGANIZATION
SUB REGIONAL OFFICE,
BHAVISHYANIDHI BHAVAN
ERNAHIPALAM P.O,
CALICUT 673 006.**

BY SRI.THOMAS MATHEW NELLIMOOTTIL, SC, PROVIDENT FUND

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
27-10-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

DCS

WP(C).No. 31738 of 2015 (N)

APPENDIX

PETITIONER(S)' EXHIBITS

**EXHIBIT P1. COPY OF THE BALANCE SHEET AND PROFIT AND LOSS ACCOUNT
FOR THE YEAR 2014-15.**

**EXHIBIT P2. COPY OF THE ORDER NO.KR/KK/1004/ENF 3 (I) 2015/56-57 DATED
6.8.15.**

**EXHIBIT P3. COPY OF THE NOTICE NO.KR/KK/10004/ENF 3(1) 2015 DATED 5TH
OCTOBER 2015.**

RESPONDENT(S)' EXHIBITS:- NIL

/TRUE COPY/

P.A. TO JUDGE

DCS

V. CHITAMBARESH, J

W.P.(C). NO. 31738 OF 2015

Dated this the 27th day of October, 2015

JUDGMENT

All that the petitioner prays is for easy instalments to pay the dues under Ext. P2 proceedings to the Employees Provident Fund Organisation. I am inclined to grant a breathing time to the petitioner taking note of the precarious financial condition in which it is placed.

2. The amount due under Ext. P2 proceedings shall be paid in six equal monthly instalments starting from 30.11.2015. The coercive steps pursuant to Ext. P3 prosecution notice shall be put on hold if the instalments are paid in time by the petitioner.

3. Needless to say that the coercive steps can continue if the petitioner commits default of any one of the instalments. The deferred instalments shall also carry the applicable interest which cannot be waived in the circumstances.

The writ petition is disposed of.

**V. CHITAMBARESH
JUDGE**

DCS