



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2015

Coram

WEB COPY

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P. (MD) .No.10225 of 2015

and

M.P. (MD) No.1 of 2015

M/s.V.P.M.M.Arts & Science College for Women,
Rep.by its Chairman,
Dr.V.P.M.Sankaranarayanan @ Sankar,
V.P.M.Nagar, Krishnankoil,
Srivilliputtur,
Virudhunagar District.

: Petitioner

vs.

1.Employees' Provident Fund Organization,
Rep.by its Regional Provident Fund Commissioner (II),
Lady Doak College Road,
Madurai.

2.The Enforcement Officer (Circle 24),
District Office, Sivakasi,
Virudhunagar District.

: Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Certiorari, to call for the records relating to the impugned order bearing File.No.TN/42387/MDU/Enf.B./Circle 24/24009/2015, dated 05.06.2015 passed by the 1st respondent and quash the same.

For Petitioner :Mr.S.Anwar Sameem

For Respondents :Mr.K.Muralishankar

O R D E R

The prayer in the Writ Petition is a Writ of Certiorari, to call for the records relating to the impugned order bearing File.No.TN/42387/MDU/Enf.B./Circle 24/24009/2015, dated 05.06.2015 passed by the 1st respondent and quash the same.

2. Mr.K.Muralishankar, learned counsel takes notice for the respondents and by consent of both parties, the writ petition itself is taken up for final disposal.



3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner stated that eventhough the petitioner has got a right of appeal, he wants the amount to be paid in instalments.

4. The learned counsel for the respondents submitted that, since the amount is huge, the petitioner will have to pay at least 25% of the amount in question, as lump sum and the remaining amount to be paid in eight equal monthly instalments.

5. The learned counsel for the petitioner submitted that there is a typographical error in arriving at the amount in question. This Court cannot go into that question and the same has to be agitated only before the appropriate authority. Since, the petitioner is agreed to pay the amount, if there is any typographical error in arriving at the amount, the same may be looked into by the authority.

6. In view of the above said submission, this Court passes the following order:-

The petitioner is directed to deposit 25% of the amount in question, as lump sump, on or before 31.07.2015. The remaining amount shall be paid in eight equal monthly instalemnts, commencing from 1st September. Subsequent to the payment of 25% of the lump sum amount, the petitioner shall pay the monthly instalments on or before first working day of every English Calender month, commencing from September, 2015. In case, the petitioner fails to pay any one of the instalments, the authority is empowered to proceed against the petitioner, to recover the entire amount, in accordance with law.

7. The petitioner submits that he will not seek any extension of time. His submission is placed on record.

8. If the petitioner is aggrieved by any other error, other than typographical error, it is open to the petitioner to agitate the same in the manner known to law.

9. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

1.The Regional Provident Fund Commissioner (II),Employees'
Provident Fund Organization,Lady Doak College Road, Madurai.

2.The Enforcement Officer (Circle 24),
District Office, Sivakasi, Virudhunagar District.

+One cc to M/s.T.Antony Arulraj, Advocate, SR.No.33065

+One cc to M/s.K.Muralisankar, Advocate, SR.No.33419

MPK