



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2015

CORAM:

THE HONOURABLE Mr. JUSTICE T. RAJA

W.P. (MD) No. 17363 of 2015
and M.P. (MD) No. 1 of 2015

The Secretary,
Katchakatti Primary Agricultural Cooperative Credit Society,
(Formerly known as Katchakatti Primary Agricultural Cooperative Bank)
Madurai District - 625 218 ... Petitioner

Vs.

The Assistant Provident Fund Commissioner
Employees' Provident Fund Organisation,
Regional Office, Lady Doak College Road,
Madurai 625 002.

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in his proceedings in TN/RO/MDU/29530/RO/ Circle / 01/PDC/LD/2015, dated 17.04.2015 / 17.05.2015 and in his consequential proceedings No. TN/MDU/29530/PDC/ Circle/MO1/8F/2015, dated 06.08.2015, quash the same and consequently, direct the respondent to pass orders by considering the various grounds and the case law cited by the petitioner in the explanation dated 24.02.2015.

For Petitioner : Mr. R. Sivamanogaran
For Respondent : Mr. V. S. Venkateswaran

O R D E R

This Writ petition has been filed by the petitioner viz., the Secretary of Katchakatti Primary Agricultural Cooperative Credit Society (Formerly known as Katchakatti Primary Agricultural Cooperative Bank), challenging the impugned order passed by the respondent / Assistant Provident Fund Commissioner, dated 17.05.2015, in and by which, the petitioner was directed to pay a sum of Rs. 12,78,319/- within a period of 15 days from the date of receipt of the order, failing which, action will be taken under Section 8 of the Act without further notice.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. The learned counsel for the petitioner submitted that since the impugned order is appealable before the Provident Fund Tribunal, New Delhi, he is not canvassing the merits of the order as procedure followed by the respondent has been in violation of the settled legal principles and hence, he should be allowed to maintain the Writ petition at least to

an extent remanding the matter back to the original authorities.

4.This point is bound to be considered only by the Provident Fund Tribunal. As this Court is not able to see any merits in this Writ petition, the Writ petition is dismissed. The petitioner is at liberty to approach the appellate authority as per the law, if he so advised. No costs. Consequently, connected M.P.is closed.

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

nbj

To

The Assistant Provident Fund Commissioner
Employees' Provident Fund Organisation,
Regional Office, Lady Doak College Road,
Madurai 625 002.

+1CC to Mr.R.Sivamanogaran Advocate Sr.No.56485

GJM/GSV/PM/30.10.15-2P-3C

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