

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.03.2017

Coram

THE HON'BLE MR.JUSTICE M.M.SUNDRESH

Writ Petition No.6187 of 2017

and

W.M.P.Nos.6671 and 6672 of 2017

Gemini Communication Limited.,
rep. by its Director, R.Ramkumar ...Petitioner

Vs.

1. Employees Provident Fund Organization,
rep. by the Assistant Commissioner,
EPFO, Regional Office,
No.37, Royapettah High Road,
Chennai - 600 014.
2. Regional Provident Fund Commissioner - II,
EPFO, Regional Office,
No.37, Royapettah High Road,
Chennai - 600 014.
3. Recovery Officer,
Employees Provident Fund Organisation,
EPFO, Regional Office,
No.37, Royapettah High Road,
Chennai - 600 014. ...Respondents

Writ Petition, filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari to call for records of the second respondent, culminating in Recovery Certificate, bearing No.TN/MAS/PDC/39181/RRC No.1210/2016, dated 26.04.2016, and to quash the same.

For Petitioner : Mr.V.Sankaranarayanan

O R D E R

The learned counsel for the petitioner would submit that the grievance of the petitioner is only with respect to the damages.

2. Be that as it may, admittedly, there is an effective and efficacious alternate remedy available under the statute.

3. Thus, taking note of the effective alternative remedy available , this Court, while declining to grant the relief sought for, is granting liberty to the petitioner to prefer Statutory Appeal within a period of four weeks from the date of receipt of a copy of this order. As and when, such an Appeal is filed, the Appellate Authority shall entertain the same without rejecting it on the ground of limitation. Till such time, there shall be an order of Status-quo to be maintained by both the parties.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

Note : Registry is directed to return the original impugned order copy to the counsel for the petitioner under due acknowledgement

To

1. The Assistant Commissioner,
Employees Provident Fund Organization,
EPFO, Regional Office,
No.37, Royapettah High Road,
Chennai - 600 014.
2. Regional Provident Fund Commissioner - II,
EPFO, Regional Office,
No.37, Royapettah High Road,
Chennai - 600 014.

3. Recovery Officer,
Employees Provident Fund Organisation,
EPFO, Regional Office,
No.37, Royapettah High Road,
Chennai - 600 014.

+ 1 cc to Mr.V.Sankaranarayan, Advocate Sr.No.16087

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VGN(CO)

KP 12/04/2017



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