

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.980 of 2017

&

W.M.P.Nos.963 &964 of 2017

Sudha English School
rep.by the Correspondent
Mr.M.Latchumanan, M.Sc.,Agri.,DLL.DLIT.,
Thiruvannamalai Road, M.L.Nagar
Thirukkanur 605 501
Pondicherry ... Petitioner

-vs-

1. The Assistant Provident Fund Commissioner (Comp)
Sub Regional Office
No.101, 100 Feet Road, Cholan Nagar
Pondicherry
2. The Zonal Manager/Regional Manager
Indian Bank, 100 Feet Road, ECR
Pakkamudianpet
Pondicherry
3. The Branch Manager
Indian Bank
Thirukkanur 605 501
Pondicherry .. Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Certiorari, calling for the
records relating to the order of the first respondent vide
No.TBM/SRO/PCY/PC/1057314/Comp/Div.IV/7A order/2016 dated
25.10.2016 and quash the same.

For Petitioner :: Mr.S.Gajendran

ORDER

The petitioner has wrongly come to this Court challenging
the order dated 25.10.2016 passed by the Assistant Provident
Fund Commissioner (Comp), Sub Regional Office, Pondicherry,
instead of approaching the Employees' Provident Fund Appellate
Tribunal. A reading of the last two paragraphs of the impugned

order also shows that the conclusions reached by the authority would be subject to re-opening the case under Section 7C of the Employees' Provident Funds and Miscellaneous Provisions Act 1952, if any new material evidence comes to the notice/knowledge at a later date and contradictory report received from the Enforcement Officer after verification of the Balance Sheet. Therefore, it is for the petitioner to work out its remedy before the Employees' Provident Fund Appellate Tribunal. With this observation, the writ petition stands dismissed. Consequently, W.M.P.Nos.963 & 964 of 2017 are also dismissed.

Sd/--
Asst.Registrar

/true copy/

Sub Asst. Registrar

ss

To

1. The Assistant Provident Fund Commissioner (Comp)
Sub Regional Office
No.101, 100 Feet Road, Cholan Nagar
Pondicherry
2. The Zonal Manager/Regional Manager
Indian Bank, 100 Feet Road, ECR
Pakkamudianpet
Pondicherry
3. The Branch Manager
Indian Bank
Thirukkanur 605 501
Pondicherry

+lcc to Mr.S.Gajendran, Advocate sr.3172

nm1(co)
ss(6/2/2017)

W.P.No.980 of 2017

WEB COPY