

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.05.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WRIT PETITION No. 12205 of 2017
and WMP No.13004 of 2017

The Chief Mechanical Engineer,
Chennai Port Trust,
Rajaji Salai, Chennai 600 001.

.. Petitioner

Vs.

1. The Regional Provident Fund Commissioner
Employees Provident Fund Organisation,
Regional Office, 37, Royapettah High Road,
Chennai 600 014.
2. The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office, 37, Royapettah High Road,
Chennai 600 014.
3. The Recovery Officer,
Employees Provident Fund Organisation,
Accounts office, Regional Office,
37, Royapettah High Road, Chennai 600 014.

.. Respondents

Prayer : The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the 2nd Respondent dated 11.04.2016 in CCII/11/TN/36096/Enf/RegI/2016 and consequential order dated 12.04.17 bearing No.CC/12/TN/36096/Enf/RegI/2016 and quash the same.

For Petitioner : Mr.M.R.Dharani Chander

O R D E R

The order under challenge in this Writ Petition was issued by the 2nd respondent in proceedings dated 11.04.2016 and the consequential order dated 12.04.2017.

2. The learned counsel appearing for the petitioner contended that against these two orders an Review Application was filed under Section 7B of the EPF Act and the said Review Application is pending before the Assistant Provident Fund Commissioner Employees Provident Fund Organisation, Regional Office, 37, Royapettah High Road, Chennai 14.

3. Though a larger relief has been sought for in this Writ Petition, the learned counsel appearing for the petitioner restricted the prayer to the extent of considering the Review Application filed by the respondents and passing orders on merits and in accordance with law.

4. Considering the submissions made by the learned counsel for the petitioner, this Court is inclined to direct the 2nd respondent to consider the Review Application filed by the writ petitioner on 19.07.2016, on condition that the writ petitioner depositing 50% of the total demand amount of Rs.60,11,865/- within a period of four weeks from the date of receipt of a copy of this order and to pass appropriate orders in the said Review Application by providing an opportunity to all the parties concerned, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. Accordingly, the above Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

jv/msv

To

1. The Regional Provident Fund Commissioner
Employees Provident Fund Organisation,
Regional Office, 37, Royapettah High Road,
Chennai 600 014.
2. The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office, 37, Royapettah High Road,
Chennai 600 014.

3. The Recovery Officer,
Employees Provident Fund Organisation,
Accounts office, Regional Office,
37, Royapettah High Road, Chennai 600 014.

+1cc to Mr.M.R. Dharanichander, Advocate Sr. 37193

WRIT PETITION No. 12205 of 2017

SJ(CO)
VR(23/5/2017)



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