

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24793 of 2017

Malabar Management Services(P) Ltd.,
Rep.by its Managing Director,
C/o.No.54/3, B-Mellakal Main Road,
Kochadai, Madurai - 625 016.

..Petitioner

Vs

Assistant Provident Fund
Commissioner (PDC),
Employees Provident Fund Organisation,
37, Royapettah High Road,
Chennai - 600 014.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 03.02.2017 and 18.05.2017 and consequently direct the respondent to refund the sum of Rs.4,58,514/- along with interest at 12% per annum consequent to order dated 28.01.2011 made in ATA No.151/13/2010.

For Petitioner : Mr.Srinath Sridevan

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondent to consider the representations submitted by the writ petitioner on 03.02.2017 and 18.5.2017, in respect of refund a sum of Rs.4,58,514/- along with interest at 12% per annum and consequential order dated 28.01.2011 passed in ATA No.151/13/2010.

2. The learned counsel appearing for the writ petitioner made a submission that pursuant to the show cause notice dated 21.12.2009 and based on proceeding dated 21.12.2009, an amount of Rs.22,92,570/- was paid and the petitioner had deposited the said amount before the respondent. However, the same is to be refunded. In this regard, the writ petitioner had submitted

representations to the respondent on 3.2.2017 and 18.5.2017. The learned counsel further states that though the representation was submitted on 3.2.2017, till date no action has been taken for refunding the said amount deposited by the petitioner.

3. Thus, without going into the merits of the case, the respondent is directed to consider the representations submitted by writ petitioner on 3.2.2017 and 18.5.2017 and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition stands disposed of. However, no order as to costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

ms

To

The Assistant Provident Fund Commissioner (PDC),
Employees Provident Fund Organisation,
37, Royapettah High Road,
Chennai - 600 014.

+ 1 cc to Mr. Srinath Sridevan, Advocate SR.67255

सत्यमेव जयते

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MG(CO)

EU(23/10/2017)

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