

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.15377 of 2017
and W.M.P.No.16693 of 2017

M/s.Stepstone Promoters Pvt. Ltd.,
Rep. by its Managing Director
Mothish,
S/o.Kotteshwaran,
No.1/1, Sakthi Nagar,
2nd Street, Choolaimedu, Chennai - 600 094. ..Petitioner

Vs.

1. Regional Provident Fund Commissioner,
Employees' Provident Fund Organisation,
Regional Office, Chennai,
Chennai - 600 014.
2. Assistant Provident Fund Commissioner,
Employees' Provident Fund Organisation,
Regional Office, Chennai,
Chennai - 600 014.
3. Enforcement Officer,
Employees' Provident Fund Organisation,
Regional Office, Chennai,
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 with respect of the notice of summon dated 30.01.2017 issued by the second respondent to the petitioner for proceedings initiated under Section 7A of the Act vide No.CHN/TN/85626/CCII/D24/ENF/REGL/2017 to quash the same on the ground of ultra vires of Article 14 of the Constitution of India and the second respondent from further giving effect to the proceedings pursuant to the notice dated 30.01.2017 above mentioned.

For Petitioner : Mr.S.Kamalakannan

O R D E R

The petitioner has come forward to challenge the summons issued to appear in person under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 on the premise that the Enforcement Officer's inspection report has not been furnished.

2.This Court is afraid that the said contention cannot be a ground to challenge the summons issued. Therefore, this writ petition is dismissed. However, the request of the petitioner seeking the aforesaid report made on 08.06.2017 will have to be considered by the second respondent before passing the appropriate final order. Similarly, the request with respect to the documents sought for will also to be considered. Such a decision has to be made on the request made by the petitioner on 08.06.2017 within a period of two weeks from the date of receipt of a copy of this order, provided no final order is passed already. It is made clear that till the aforesaid order is complied with, no final order would be passed, if not passed already. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1. Regional Provident Fund Commissioner,
Employees' Provident Fund Organisation,
Regional Office, Chennai,
Chennai - 600 014.
2. Assistant Provident Fund Commissioner,
Employees' Provident Fund Organisation,
Regional Office, Chennai,
Chennai - 600 014.
3. Enforcement Officer,
Employees' Provident Fund Organisation,
Regional Office, Chennai,
Chennai - 600 014.

+1cc to M/s. K.Jayasudha, Advocate in sr.no.43194

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NR 21/06/2017