

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2017

CORAM

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

W.P.No.37517 of 2016

& W.M.P.Nos.32145 &32146 of 2016 & WMP No.580 of 2017

M/s Diamond Engineering (Chennai) Pvt. Ltd.,
represented by its Deputy Managing Director
P.Dhanaraj, NO.501, Vandalur,
Kelambakkam Main Road, Chennai-600 127.

.... Petitioner

Vs.

The Regional Provident Fund Commissioner-1,
Employees Provident Fund Organization,
Regional Office, No.37, Royapettah High Road,
Chennai-600 104.

.... Respondent

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondent to consider the petitioner's representation dated 03.10.2016 seeking for payment of the contributions to the provident fund in installments.

For Petitioner : Mr.J.Pothiraj

For Respondent : Mr.K.Gunasekar

ORDER

The petitioner, in pursuant to its failure to pay the Provident Fund mandated under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, has come forward to file this writ petition to consider his representation dated 03.10.2016, by which, he made a request for deferment of the payment up to 31.03.2017.

2. Now, admittedly, the said period is also over. By way of an interim order, the petitioner has paid a sum of Rs.20,00,000/- (Rupees twenty lakhs only).

3. The learned counsel appearing for the petitioner would submit that the financial condition of the petitioner is still worse.

4. Considering the said submission, the petitioner is directed to pay the remaining amount in 12 monthly instalments on or before 7th of every month starting from May, 2017. It is made clear that if the petitioner fails to pay even single instalment, it is well open to the respondent to proceed in accordance with law.

5. The writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

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

+1 CC to Mr.J.Pothiraj, Advocate Sr.No.20522

+1 CC to Mr.K.Gunasekar, Advocate Sr.No.20499

सत्यमेव जयते W.P.No.37517 of 2016

NRJK (CO)

KP (19/04/2017)

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