



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.10746 of 2017

Vikraman

.. Petitioner

Vs.

1. The Chief Vigilance Officer,
Vigilance Wing, Vigilance Head Office,
Employees Provident Fund Organisation,
6th Floor, NBCC, Bhikaji Cama Place,
New Delhi 110 066.
2. The Regional Provident Fund Commissioner,
Compliance Division, Head Office,
Employees Provident Fund Organisation,.
New Delhi.
3. The Regional Provident Fund Commissioner,
Sub-Regional Office, Employees Provident Fund Organisation,
Water Tank Road, Nagercoil, Kanyakumari District.
4. M.J.D.Constructions and Engineering
Contractors Private Limited,
M.J.Bhavan, Kannumamoodu,
Palukal Post, Kanyakumari District,
[Represented by the Managing Director],
Mrs.Devadhas Janaka Jabangelin].

5.Devadhas Janaka jabangelin

6.Kolappan Jabamony

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the third respondent to ascertain the total due amount from the fourth respondent in respect of its Employees Provident Fund Scheme liability for the period between 22.06.2005 and 21.03.2016 in accordance with Section 7(A)(b) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

For petitioner : Mr.Hariprasad

For respondents 1to 3 : Mr.V.S.V.Venkateshwaran
Standing Counsel

For respondents 4&5 : Mr.C.Bharathi

**O R D E R**

[Order of the Court was made by **K.K.SASIDHARAN, J.**]

WEB COPY The petitioner filed this Writ Petition to direct the Regional Provident Fund Commissioner, Kanyakumari, to ascertain the total amount due from the fourth respondent in respect of its Employees Provident Fund Scheme liability for the period between 22.06.2005 and 21.03.2016 in accordance with Section 7(A)(b) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

2. The third respondent, who is present in Court, submitted that the enquiry would be completed within a period of three months.

3. The learned counsel appearing for the fourth respondent submitted that the fourth respondent would co-operate with the third respondent for early disposal of the matter. According to the learned counsel, the old records are to be handed over to the third respondent and it would take some time and that was the reason for the delay.

4. The statutory enquiry is now pending on the file of the third respondent. We direct the third respondent to conclude the enquiry, as expeditiously as possible and in any case, on or before 09.10.2017. It is needless to point out that the third respondent shall conduct enquiry in accordance with law and a speaking order shall be passed, within the outer time limit fixed by this Court.

5. The Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

1. The Chief Vigilance Officer,
Vigilance Wing, Vigilance Head Office,
Employees Provident Fund Organisation,
6th Floor, NBCC, Bhikaji Cama Place,



2. The Regional Provident Fund Commissioner,
Compliance Division, Head Office,
Employees Provident Fund Organisation,.
New Delhi.

WEB COPY

3. The Regional Provident Fund Commissioner,
Sub-Regional Office, Employees Provident Fund Organisation,
Water Tank Road, Nagercoil, Kanyakumari District.

+1cc to Mr.Hariprasad, Advocate SR.No.64063

+1cc to Mr.C.Bharathi, Advocate SR.No.64040

NB

VB/JC/SAR1/17.07.2017/3P/6C

ORDER MADE IN
W.P. (MD) No.10746 of 2017
07.07.2017