



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 23.02.2017

CORAM:

THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN

W.P. (MD) No. 2984 of 2017

and

WMP (MD) No. 2405 of 2017

M/s. TASMAC

Represented by its District Manager,
Mr. S. Mathiselvan,
1/5B, Sipcot Colony,
Pudukkottai - 622 002.

... Petitioner

Vs.

1. The Regional PF Commissioner,
EFP Organisation,
Sub Regional Office,
No. 18, Madurai Road,
Trichy 7 - 620 008.

2. The Asst. P.F. Commissioner,
EFP Organisation,
Sub Regional Office,
No. 18, Madurai Road,
Trichy 7 - 620 008.

3. The Recovery Officer,
EFP Organisation,
Sub Regional Office,
No. 18, Madurai Road,
Trichy 7 - 620 008.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the 2nd respondent in Ref. TN/SRO-TRY/PDC/C-12/44176/7QPROC/2016/2016, dated 16.12.2016 and quash the same.

For Petitioner : Mr. K. Mu. Muthu

For Respondents : Mr. V. S. Karthick

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Certiorari, calling for the records of the 2nd respondent



in Ref.TN/SRO-TRY/PDC/C-12/44176/7QPROC/2016/2016, dated 16.12.2016 and quash the same.

2. Admittedly, the amount due to the EPF had already been paid, but the petitioner has not remitted interest. As per Section 7Q of the Employees' Provident Funds and Miscellaneous Provisions Act, the petitioner is liable to pay interest. Since the interest amount has not been paid, corrosives steps have been taken by the second respondent wide proceedings, dated 16.12.2016.

3. When the matter came up on 22.02.2017, this Court expressed its view that this Court is not inclined to grant the relief sought for by the petitioner and the Writ Petition is liable to be dismissed. However, the petitioner sought time to get instruction from the petitioner with regard to payment of interest amount in instalments. Accordingly, the matter was directed to be listed on 23.02.2017.

4. Today and when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the amount of interest, as per the order, dated 16.12.2017 may be permitted to be paid in 10 instalments.

5. Taking note of the fact that the petitioner being the Government, this Court is inclined to accedes the request of the petitioner to pay the amount in 10 instalments and the first instalment shall be paid on or before 10th of March and the subsequent instalments shall be paid on or before 16th of succeeding month.

6. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar[AS]

/True copy/

Sub Assistant Registrar

To

1.The Regional PF Commissioner,
EFP Organisation,
Sub Regional Office,
No.18, Madurai Road,
Trichy7 - 620 008.

2.The Asst. P.F. Commissioner,
EFP Organisation,
Sub Regional Office,
No.18, Madurai Road,
Trichy7 - 620 008.



3.The Recovery Officer,
EFP Organisation,
Sub Regional Office,
No.18, Madurai Road,
Trichy7 - 620 008.

+1cc to Mr.K.MU.Muthu,Advocate,SR.10404

+1cc to Mr.V.S.Karthi,Advocate,SR.10190

W.P. (MD) No.2984 of 2017
23.02.2017

MPK

KK-CM-MSA-9.3.2017-2P-6C