

Writ Petition No.20657 of 2009

ORDER:

The proceedings under challenge in this writ petition is the notice issued by the Revenue Divisional Officer, Srikakulam dated 17.09.2009, calling upon the petitioner to file details of employees and the EPF payment made to the Toll Plaza Employees at Chilakapalem, for the months of June, July and August, 2009 within three days.

By order in W.P.M.P.No.26928 of 2009 dated 24.09.2009 this Court granted interim stay of all further proceedings pursuant to the notice dated 17.09.2009 holding that, prima facie, the Revenue Divisional Officer lacked jurisdiction to issue the notice. The said interim order has been in force for the past seven years.

As jurisdiction is conferred on the authorities under the EPF Act to call for information, regarding payment or non-payment of provident fund dues, the Revenue Divisional Officer, Srikakulam lacks jurisdiction either to call for such information or to direct payment.

The impugned notice is, accordingly, set aside. Suffice it make it clear that this order shall not preclude the provident fund authorities, if the petitioner is liable to pay provident fund dues, from taking action against them in accordance with law.

The Writ Petition is, accordingly, disposed of. Miscellaneous Petitions pending, if any, shall also stand disposed of. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

15th September, 2017
JSU

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN



Writ Petition No.20657 of 2009

Date: 15.09.2017

JSU