

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.04.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.15910 of 2017  
and  
W.M.P.No.17218 of 2017

Cotton Blossom (India) Pvt.Ltd.,  
Represented by its DGM HR  
No.15, Nethaji Apparel Park,  
Perumanallur,  
Tiruppur - 641 666 ..Petitioner

vs

The Regional Provident Fund Commissioner - II,  
No.18, Balasundaram Road,  
Coimbatore - 641 018. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records in order in Ref.No.CB/CBE/PDC-II/CC-29/87081/INTEREST/2017 7Q-PROC dated Nil/05/2017 passed by the Respondent and quash the same and consequently directing the Respondent to accept the remaining outstanding determined amount in the above impugned order in 24 equal installments.

For Petitioner : M/s.S.Gunalan

For Respondents : M/s.R.Meenakshi

O R D E R

The present writ petition is filed, challenging the order dated nil/05/2017, issued by the respondent and for a direction to accept the remaining outstanding determined amount in equal installments.

2.The order passed by the Regional Provident Fund Commissioner-II states that the writ petitioner has to remit the interest amount of Rs.7,03,974/-(Rupees Seven Lakhs three thousand nine hundred and seventy four only), failing which further actions for recovery will be initiated under Section 8B to 8G of the Act, 1952.

3.The learned counsel appearing on behalf of the writ petitioner today filed a memo stating that the petitioner is ready and willing to settle the entire amount by way of twelve (12) equal installments and the memo, which reads as under:

"It is submitted that now the Petitioner is ready to pay in 12 equal installments for the payment of under Section 7Q of EPF Act. Therefore, the petitioner is filing this memo seeking 12 equal installments for the payment of the interest under Section 7Q Rs.7,03,974/-.

It is therefore prayed that this Hon'ble Court may be pleased to accept this memo and order 12 equal installments for the payment of under Section 7Q and thus render justice."

4.The monthly installments must be paid on or before 9<sup>th</sup> day of every month. The learned counsel appearing on behalf of the writ petitioner ensured that the writ petitioner would pay the installments punctually and without committing any default.

5.In the event of non-payment of the installments as per the above terms and conditions, the respondents are at liberty to initiate all further action in accordance with the provisions of the Act.

6.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kak

To

The Regional Provident Fund Commissioner - II,  
No.18, Balasundaram Road,  
Coimbatore - 641 018.

+1cc to Mr.S.Gunalan, Advocate, S.R.No.26509  
+1cc to Mr.R.Meenakshi, Advocate, S.R.No.26097

W.P.No.15910 of 2017

KGK(CO)  
RRK(14/05/2018)