



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.9270 of 2018

WEB COPY

M/s.Asset Care and Reconstruction
Enterprise Limited (ACRE)
Registered and Corporate Office
2nd Floor, Mohan Dev Building
Tolstoy Marg, New Delhi 110 001
rep.by its Constituted Attorney
Parijatha Business Solution Pvt., Ltd.,
having its registered office at 430, 3rd Cross
5th Block, HBR Layout, Bangalore-560 043
through its Managing Director and CEO
P.Krishnan

... Petitioner

vs.

1. The Regional Provident Fund
Commissioner
Employees Provident Fund Office
Chinna Chokikulam, Madurai

2. The Recovery Officer
Employees Provident Fund Office
Chinna Chokikulam, Madurai

3. Sri Venkatesa Paper and Boards Limited
rep.by its Managing Director
Swaminathapuram, Udumalpet
Madathukulam
Tamilnadu 642 113

4. The Sub Registrar
Keeranur-624 617
Palani Taluk, Dindigul District

... Respondents

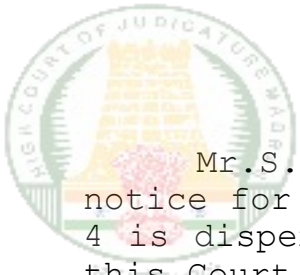
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to consider and dispose of the representation, dated 12.04.2018, requesting the respondents 1 and 2 to raise the order of attachment pertaining to the land measuring 82.41 Acres, situated at Midapadi Village, Pushpathur Village, Saminathapuram, Palani Taluk and Dindigul District, within a stipulated time.

For Petitioner : Mr.S.Sethuraman

For Respondents : Mr.S.Nagarajan

<https://hcservices.ecourts.gov.in/hcservices/>

Special Government Pleader for R1 & R2

**ORDER**

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents 1 and 2. Notice to the respondents 3 and 4 is dispensed with in view of nature of the order to be passed by this Court.

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2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that their representation dated 12.04.2018 requesting to raise the order of attachment pertaining to the land, measuring an extent of 82.41 Acres, situated at Midapadi Village, Pushpathur Village, Saminathapuram, Palani Taluk and Dindigul District, has not been considered by the respondents 1 and 2 till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 12.04.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents 3 and 4 and any other persons who may be interested in the subject matter.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To:

1. The Regional Provident Fund
Commissioner,
Employees Provident Fund Office,
Chinna Chokikulam, Madurai.



2. The Recovery Officer,
Employees Provident Fund Office,
Chinna Chokikulam, Madurai.

3. The Sub Registrar
Keeranur-624 617
Palani Taluk, Dindigul District

+1CC to Mr.V.Karthikeyan Advocate in SR.No.63431

KRK

DS/SV/MMS/SAR-2 :07.05.2018: P3/5C

W.P. (MD) No.9270 of 2018
25.04.2018