



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.19782 of 2017

and

W.M.P. (MD) No.16038 & 16039 of 2017

WEB COPY

Maravankudi Iruppu Primary Agrucultural
Services Co-operative Bank,
Y-220, Kanyakumari District by
its Secretary,
Kottar, Nagercoil-2.

... Petitioner

Vs.

1. The Regional Provident Commissioner,
Sub Regional Office, No.66, Water Tank Road,
Nagercoil-629001
Kanyakumari District.

2. The Enforcement Officer,
Sub Regional Office,
No.66, Water Tank Road,
Nagercoil-629001
Kanyakumari District.

3.S.Paulraj

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the 1st respondent by his proceedings in No.TN/NGL/33074/Circle 32/Grievance/Enf/2017, dated 25.09.2017 and the impugned order passed by the 2nd respondent vide his proceedings in No.MD/NKL/33074//EO/2017, dated 12.10.2017 and quash the same as illegal.

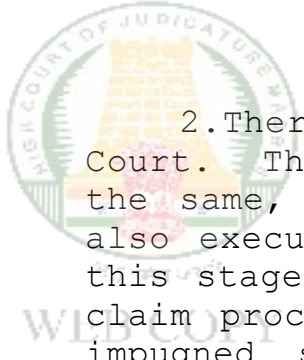
For Petitioner : Mr.S.Karthick Subramanian

For R1 & 2 : Mr.V.S.V.Venkateshvaran

For R3 : Mr.D.Saravanan

ORDER

The third respondent was employed in the writ petitioner society. He was dismissed from services way back in the year 1988. Questioning the same the third respondent initiated proceedings before the Labour Court. He was successful therein. Award was passed in his favour.



2. Thereafter, he also filed claim petition before the Labour Court. The Labour Court allowed his claim petition. Questioning the same, the present Writ Petition has been filed. There are also execution proceedings initiated against the management. At this stage, based on the order passed by the Labour Court in the claim proceeding, the provident fund authorities have issued the impugned statutory notice on 25.09.2017 by calling upon the petitioner to produce the wage details of the third respondent for period from the date of his joining till the date of reaching superannuation and also monthly break wage details. Since in this case admittedly, the third respondent was terminated as early as 1988, it would not possible for the petitioner to produce or furnish the details sought for by the provident fund authorities.

3. Therefore, the order impugned in this Writ Petition is quashed. Accordingly, the Writ Petition is allowed. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Regional Provident Commissioner,
Sub Regional Office, No.66, Water Tank Road,
Nagercoil-629001
Kanyakumari District.

2. The Enforcement Officer,
Sub Regional Office,
No.66, Water Tank Road,
Nagercoil-629001
Kanyakumari District.

+1cc to Mr.S.Karthick Subramanian, Advocate Sr.No.54156

+1cc to Mr.D.Saravanan, Advocate Sr.No.54049

GNS

VB/SKN/RSK/SAR2/05/06/2018/2P/5C

W.P. (MD) No.19782 of 2017
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