

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31-10-2019

Coram

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.1486 of 2015

And

M.P.No.1 of 2015

M/s.Halidon Marketing Limited,
No.6, Murugesan Street,
Shenoy Nagar,
Chennai-600 030 Represented
by its Managing Director A.Palaniappan. ... Petitioner

vs.

The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
37, Royapettah High Road,
Chennai-600 014. ... Respondent

PRAYER : Writ Petition filed under Article 226 of the
Constitution of India praying for issuance of a Writ of
Mandamus, forbearing the respondent from continuing the
proceedings and initiating any recovery pursuant to the
proceedings No.CHN/TN/56517CCII(22)/Eng /Regl/2014 dated
12.09.2014.

For Petitioner : Mr.Anand Gopalan for
M/s.T.S.Gopalan and Co.

For Respondent : Mr.T.R.Sundaram

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O R D E R

The order dated 12.09.2014 issued by the respondent
initiating proceedings under Section 7-A of the Employees
Provident Funds and Miscellaneous Provisions Act, 1952, claiming
contribution of allowances, is under challenge in the present
writ petition.

2. The issue with reference to claiming of contribution
of allowances was already decided by the Hon'ble Supreme Court

in a judgment dated 28.02.2019.

3. In view of the abovesaid judgment of the Hon'ble Supreme Court, the respondent is at liberty to proceed against the writ petitioner by following the procedures contemplated under the Employees Provident Funds and Miscellaneous Provisions Act, 1952 as well as the Rules.

4. With the above observations, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

Svn

To

The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
37, Royapettah High Road,
Chennai-600 014.

+lcc to Mr.T.R.Sundaram, Advocate, S.R.No. 90776

WP 1486 of 2015

AD(CO)
GN(28/11/2019)

सत्यमेव जयते

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