



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.8749 2019

and

W.M.P. (MD) Nos.6804 and 6805 of 2019

M/s.A2295 the Madurai Co-operative Printing Works Ltd.,
15, T.P.K.Road,
Madurai-625 003,
Rep. by its Managing Director

... Petitioner

Vs.

The Regional Provident Fund Commissioner,
Employee's Provident Fund Organisation,
Regional Office, Lady Doak College Road,
Chokkikulam,
Madurai-625 002.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the Hon'ble Central Government Industrial Tribunal cum Labour Court, Chennai in its order dated 14.03.2019 made in EPF A No.566/2018 by confirming the notice issued by the respondent in TN/1805/M2/7Q/PDC/MDU/2015, dated 09.10.2015 and quash the same.

For Petitioner

:Mr.M.Elanchezhian

For Respondent

:Mr.A.John Xavier

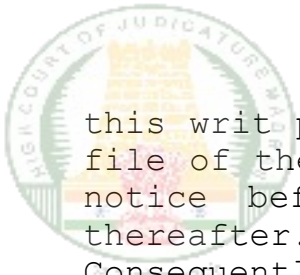
ORDER

Heard the learned counsel on either side.

2.The writ petition pertains the petitioner's liability to pay interest in terms of Section 7 (Q) of the Employees Provident Fund Act.

3.The petitioner questioning the communication of the respondent issued in this regard by filling an appeal. The Tribunal rightly held that the appeal is not maintainable. Questioning the same, the writ petition has been filed.

4.The Tribunal is right to the extent that the appeal will not lie in this case. But then, as pointed out by the learned counsel appearing for the writ petitioner, even before passing order under Section 7 (Q) of the EPF Act, the petitioner will have to be put on notice. This because, it is quite possible that there may be disputes regarding computation. Therefore, the order impugned in



this writ petition stands set aside. The matter is remitted to the file of the respondent. The respondent will put the petitioner on notice before passing final orders and pass a speaking order thereafter. The writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar (CS-III)

/TRUE COPY/

Sub Assistant Registrar (CS)

+1 CC to M/s.A.JOHN XAVIER, Advocate (SR-63631[F] dated 29/04/2019)

+1 CC to M/s.K.HEMAKARTHIKEYAN, Advocate (SR-63691[F] dated 29/04/2019)

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CS (KM) : 09/05/2019/2P/3C