



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P(MD)No.24025 of 2019

and

W.M.P. (MD) .No.20619 of 2019

M/s.Shri Govindaraja Textiles (P) Limited,
Unit-II, S.No.60, 63, 64
Kurunaikulam, Kulasekaranallur Village,
Ramasamynagar PO
Aruppukkottai-105
Virudhunagar District
rep. By its Director

... Petitioner

Vs.

Regional Provident Fund Commissioneer,
Employees Provident Fund Organization,
Lady Doak College Road,
Madurai-625 002.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for issuance of writ of certiorarified mandamus, calling for the records relating to the impugned order passed by the respondent in his proceedings No.TN/RO/MDU/11854-B/PDC/SPL/7Q/2019 dated 18.09.19 and quash the same as illegal and consequently direct the respondents to accept the payment of demanded interest amount of Rs.19,50,099/- in 30 monthly installments.

For Petitioner	: Mr.M.Jerin Mathew for Mr.M.R.Ilango
For Respondent	: Mr.V.S.V.Venkateswaran

ORDER

Mr.V.S.V.Venkateswaran learned counsel takes notice for the respondent.

2. By consent of both sides, the writ petition is taken up for final disposal.

3.This writ petition has been filed challenging the impugned order passed by the respondent in his proceedings, dated 18.09.19 and consequently to direct the respondents to accept the payment of demanded interest amount of Rs.19,50,099/- in 30 monthly



4.The respondent has passed an order in proceedings No.TN/RO/MDU/11854-B/PDC/SPL/7Q/2019 dated 18.09.19, demanding interest under Section 7Q of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 against the petitioner herein. The total due as per the order is Rs.19,50,099/- (Rupees Nineteen Lakhs fifty thousand and ninety nine only). Even though an appeal remedy is available against this order, the petitioner is willing to comply with the order. But he expresses his inability to make the payment in one stroke. Therefore, he seeks permission from this Court to make the payment in 30 installments.

5.Mr.V.S.V.Venkateswaran, learned counsel appearing for the respondent would vehemently oppose the proposal made by the petitioner. The learned counsel would submit that 30 installments is too longer a period and it should be restricted.

6.Considering the factual circumstances, the petitioner is directed to make the demanded payment in 20 equated monthly installments. In case of default, the respondent is entitled to initiate action in accordance with law.

7.Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (records)

// True Copy //

Sub Assistant Registrar(CS)

Vs

To

Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Lady Doak College Road,
Madurai-625 002.

+1 CC to Mr.M.E.ILANGO, Advocate (SR-98165[F] dated 14/11/2019)

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