



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 2142 of 2020

A. Thangavelu

... Petitioner

-vs-

1. The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
No. 3, Rajaji Salai, Tambaram,
Chennai - 600 045.

2. The General Manager,
Binny Engineering works Limited,
Station Road,
Meenambakkam,
Chennai - 600 061.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent to pass orders on the Petitioner's Legal Demand Notice dated 27.11.2018 and thereby to enforce recovery of the Second Respondent's EPF contribution to PF A/c No. TB/TAM/ 0000031/000/0001236 for the period from 16.09.1992 to 06.07.2007, amounting to Rs. 1,35,596.70/- and the EPS contribution for the period from 07.07.2007 till date, along with interest, in accordance with this Court's Judgment in W.P. No. 27214/2012 dated 19.02.2018 and Section 8 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952.

For Petitioner : Ms. D. Geetha

For Respondents: Mr. Vishnu for
Mr. K. Ramu (for R2)

O R D E R
(through video conference)

Heard Ms. D. Geetha, Learned Counsel for the Petitioner and Mr. Vishnu, Learned Counsel appearing for the Second Respondent through video conference and perused the materials placed on record, apart from the pleadings of the parties.



2. The Writ Petition has been filed for a direction to the First Respondents to pass orders on the Legal Demand Notice dated 27.11.2018 made by the Petitioner and to enforce recovery of the EPF contribution of the Second Respondent under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, to PF A/c No. TB/TAM/0000031/000/0001236 for the period from 16.09.1992 to 06.07.2007 amounting to Rs. 1,35,596.70/- (Rupees One Lakh Thirty Five Thousand Five Hundred and Ninty Six only) and the EPS contribution for the period from 07.07.2007 till date along with interest in accordance with the order dated 19.02.2018 in W.P. No. 27214/2012 dated 19.02.2018 passed by this Court and Section 8 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

3. Learned Counsel for the Second Respondent, on instructions, states that a sum of Rs.5,31,747/- (Rupees Five Lakh Thirty One Thousand Seven Hundred and Forty Seven only) has been remitted by the Second Respondent to the First Respondent in P.F. Account No. TB/TAM/31/1508 and that he would send an e-mail to that effect confirming the same with a copy to the Learned Counsel for the Petitioner, which shall be placed on record.

4. In view of the amount deposited by the Second Respondent, having due regard to the relief sought, no further adjudication is required in this Writ Petition. The Petitioner may make necessary application before the First Respondent for the payment of eligible amount and if the same is made, the First Respondent shall pass orders thereon expeditiously in accordance with law. The Petitioner is also not precluded from working out his remedy for necessary relief in respect of any other grievance before the proper forum in the manner recognized by law.

5. The Writ Petition is disposed on the aforesaid terms. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vjt



To

WEB COPY

The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
No. 3, Rajaji Salai, Tambaram,
Chennai - 600 045.

W.P. No. 2142 of 2020

SVI (CO)
EU 10.07.2020