



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)NO.1273 OF 2020

and

W.M.P (MD)No.1024 of 2020

M/s.Sterling Technotex Private Limited,
represented by its Administrative Officer,
353-A, Ambalapuli Bazaar,
Rajapalayam - 626 117,
Virudhunagar District.
.vs.

:Petitioner

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

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to accept the payment of demanded interest amount of Rs.2,01,062/- in 20 equated monthly instalments by considering the Petitioner's representation dated 18.12.2019 and pass orders on merits and in accordance with law, within the period stipulated by this Court.

For Petitioner

:Mr.M.E.Ilango

For Respondent

:Mr.A.John Xavier
Counsel for EPFO

O R D E R

Mr.John Xavier, learned counsel takes notice for the respondent/Employees Provident Fund Organization.

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

3.This writ petition has been filed seeking issuance of a Writ of Mandamus directing the respondent to accept the payment of demanded interest amount of Rs.2,01,062/- in 20 equated monthly installments by considering the Petitioner's representation, dated 18.12.2019.



4.The respondent has passed an order in proceedings No.TN/RO/MDU/42868/M9/PDC/SPL/7Q/2019, dated 28.11.2019 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.2,01,062/- (Rupees two lakhs one thousand and sixty two 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 10 installments.

5.Mr.John Xaveir, learned counsel appearing for the respondent would vehemently oppose the proposal made by the petitioner. The learned counsel would submit that 10 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 10 equated monthly installments and the first installment shall be paid on or before 15.02.2020. In case of any 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

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Vsn

To

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

+1 CC to M/s.M.E.ELANGO, Advocate (SR-2633[F] dated 23/01/2020)

W.P (MD) NO.1273 OF 2020

and

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23.01.2020

KK/SAR/30.01.2020/2P-3C/