



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2020

CORAM:

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) No. 2049 of 2020

and

W.M.P (MD) No. 1722 of 2020

M/s.Sri Aravindar Engineering College,
Sri Aravindar Educational Trust,
Pondy Mailam Road,
Sedarapet, Vanur,
Villupuram District - 605111,
Through its Chairman

: Petitioner

.vs.

The Assistant Provident Fund Commissioner,
Employees' Provident Fund Organization,
Regional Office,
No.18, Sree Complex, Madurai Road,
Trichy - 625 008.

: Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining in Enf.C1/TN/TR/76595/SRO-TRY/2014-15 dated 24.05.2018 on the file of the respondent herein and direct the respondent to permit the petitioner to remit the E.P.F.Contribution amount claimed for the period from 05/2015 to 11/2017 to the tune of Rs.34,94,792/- in Eighty Four Equal Monthly Installments.

For Petitioner

:Mr.P.Chandra Bose

For Respondent

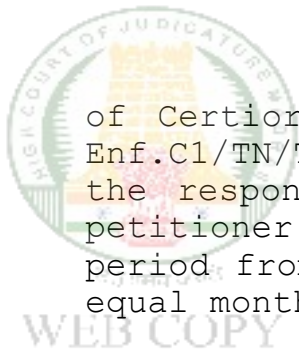
:Mr.G.Dharmaraja
Standing Counsel

O R D E R

Mr.G.Dharmaraja, learned standing counsel takes notice for the respondents/Employees Provident Fund Organization.

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

<https://hcservices.courts.gov.in/hcservices/> petition has been filed seeking issuance of a Writ



of Certiorarified Mandamus to call for the records pertaining to Enf.C1/TN/TR/76595/SRO-TRY/2014-15 dated 24.05.2018 on the file of the respondent herein and to direct the respondent to permit the petitioner to remit the E.P.F. Contribution amount claimed for the period from 05/2015 to 11/2017 to the tune of Rs.34,94,792/- in 84 equal monthly installments.

4. Though the petitioner claims for payment of E.P.F contribution amount, for the period from May, 2015 till November, 2017, which is a sum of Rs.34,94,792/- in 84 equal monthly installments, the learned standing counsel appearing for the respondent would vehemently oppose the proposal made by the petitioner and submitted that there is yet another due to the tune of Rs.50,00,000/- from 2017 till today. Therefore, the petitioner cannot be given any indulgence by making the payment in 84 equal monthly installments.

5. Considering the plight of the petitioner, which is an Engineering College, this Court is of the view that 36 installments may be granted for the petitioner to pay the E.P.F. Contribution. Therefore, the petitioner is directed to make the demanded payment in 36 equal monthly installments and the first installment shall be paid on or before 15.02.2020. In case of any default, the concession given to the petitioner will be withdrawn and the respondent is entitled to initiate action in accordance with law.

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

Sd/-

Assistant Registrar (CO)

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/ /2020

Sub Assistant Registrar (CS)

pm

To

The Assistant Provident Fund Commissioner,
Employees' Provident Fund Organization,
Regional Office,
No.18, Sree Complex, Madurai Road,
Trichy - 625 008.

<https://hcservices.ecourts.gov.in/hcservices/>



+1 CC to M/s.G.DHARMARAJA, Advocate (SR-4663[F] dated 04/02/2020)

+1 CC to M/s.P.CHANDRA BOSE, Advocate (SR-4794[F] dated
05/02/2020)

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ORDER MADE IN
W.P (MD) No. 2049 of 2020
03.02.2020

JMN(10.02.2020) 3P : 4C