



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.02.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.2201 of 2020

and

W.M.P. (MD) Nos.1853 & 1854 of 2020

M/s.Sri Aravindar Engineering College,
Sri Aravindar Educational Trust,
Pondy Mailam Road,
Sedarapet, Vanur,
Villupuram District 605 111
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 is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining in Enf.C1/TN/TR/76595/SRO-TRY/2014-15 dated 15.07.2015 on the file of the respondent herein and direct the respondent to permit the petitioner to remit the E.P.F. contribution dues for the period from 02/2013 to 04/2015 to the tune of Rs.32,69,053/- 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 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 Certiorarified Mandamus, calling for the records pertaining to Enf.C1/TN/TR/76595/SRO-TRY/2014-15 dated 15.07.2015 on the file of the respondent herein and direct the respondent to permit the petitioner to remit the E.P.F. contribution dues for the period from 02/2013 to 04/2015 to the tune of Rs.32,69,053/- in eighty four equal monthly installments

4. The respondent has passed an order in proceedings Enf.C1/TN/TR/76595/SRO-TRY/2014-15 dated 15.07.2015 demanding remittance of dues, in accordance with the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 against the petitioner herein. The total due as per the order is Rs.32,69,053/- (Rupees Thirty Two Lakhs and Sixty Nine Thousand and Fifty Three 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 84 equal monthly installments.

5. The learned standing counsel appearing for the respondent would vehemently opposed the proposal made by the petitioner. The learned counsel would submit that 84 installments is a too long a period and it should be restricted.

6. After some deliberations, the petitioner agreed that he would pay the demand in thirty six equal monthly installments.

7. Considering the factual circumstances, 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 respondent is entitled to initiate action in accordance with law.

8. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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To:

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

+1 CC to M/s.P.CHANDRABOSE, Advocate (SR-4838[F] dated 05/02/2020)

+1 CC to M/s.G.DHARMARAJA, Advocate (SR-5041[F] dated 06/02/2020)

Order made in
W.P(MD)No.2201 of 2020

Dated:
05.02.2020

KK/27.02.2020/3P-4C