



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.7000 of 2020

and

W.M.P. (MD) .No.6425 of 2020

WEB COPY

M/s.New Security Force
Represented by its Managing Partner
Mr.P.Prabhakar
No.12, BSS Complex
1st Floor, Rabic Nagar
Thiruvanaikovil
Trichy 620 005

... Petitioner

Vs

Regional Provident Fund Commissioner
Employees Provident Fund Organisation
Regional Office, P.B.No.588, Sree Complex
'D' Block, No.18, Madurai Road
Trichy 620 008

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to accept the remaining outstanding determined amount of Rs.25,29,572/- (Rupees Twenty Five Lakhs Twenty Nine Thousand Five Hundred and Seventy Two only) in 36 equal monthly installments.

For Petitioner : Mr.R.Narayanan

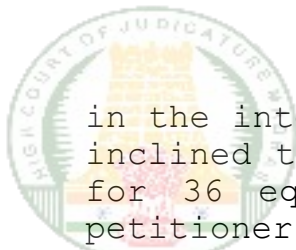
For Respondent : Mr.Dharmaraja

ORDER

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

2.The petitioner is an assessee under the respondent. The petitioner has to pay a sum of Rs.25,29,572/- (Rupees Twenty Five Lakhs Twenty Nine Thousand Five Hundred and Seventy Two only) as dues to the respondent corporation. The petitioner seeks permission to pay the said amount in 36 equal monthly installments.

3.The learned Standing Counsel for the respondent opposes the said request. He would also point out that this Court may not be justified in granting such a permission. Though I find considerable force in the said objection raised by the Standing Counsel, however,



in the interest of justice, considering the pandemic situation, I am inclined to show indulgence to the petitioner. However, the request for 36 equal monthly installments is patently unacceptable. The petitioner is permitted to clear the petition mentioned liability in 10 equal monthly installments. Of course, the first installment will commence immediately after the lock down is totally lifted by the State Government. When the petitioner commits default in remitting two consecutive monthly installments, the order now passed will stand vacated automatically and it will be open to the respondent authority to enforce the demand without any reference to this Court.

4.The Writ Petition stands allowed on these terms. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Msa

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Regional Provident Fund Commissioner
Employees Provident Fund Organisation
Regional Office, P.B.No.588, Sree Complex
'D' Block, No.18, Madurai Road
Trichy 620 008

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