



WEB COPY

W.P(MD).No.12332 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.12332 of 2015

and

M.P (MD) .No.1 of 2015

and

W.M.P (MD) .No.1603 of 2017

M/s.TVS Sri Chakra Ltd.,
Perumalpatti Road,
Vellaripatti, Melur - TK,
Madurai District-625 122
Rep by its General Manager(HR)
Mr.K.N.Betraaj

... Petitioner

Vs.

The Regional Provident Fund Commissioner-I
Regional Office of the Employees Provident Fund Organization
Lady Doak College Road,
Chokkikulam,
Madurai-2.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondent from containing with the proceedings initiated against the petitioner under Section 7A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952, pursuant to the Notice Ref:No.Md/MDU/20359/Circle40/ENF-C/RO/2015 dated 06.07.2015 till the pronouncement of the judgment by the Division Bench of this Court in W.A.No.s982, 985, 1026, 1343 and 1344 of 2011.

For Petitioner : Mr.Sanjay Mohan
For Respondent : Mr.K.Muralishankar

ORDER

The learned counsel for the petitioner fairly made a submission that the issues raised in the present writ petition are already settled by the Hon'ble Supreme Court of India in the case of ***The Regional Provident Fund Commissioner(II), West Bengal and others vs Vivekananda Vidyamandir*** reported in **2019(2) LLJ 349**. However, pursuant to the findings made in Paragraph No.14 of the said judgment, the petitioner is entitled to raise their objections before the authorities competent under Section 7(A) of the Employees



Provident Fund and Miscellaneous Provisions Act, 1952. Further, the learned counsel made a submission that the petitioner may be granted with such liberty to raise their objections in the manner prescribed.

2. In view of the said submission, the petitioner is permitted to raise all such objections under Section 7(A) of the Employees Provident Fund and Miscellaneous Provisions Act, 1952, and incorporate with the findings made by the Hon'ble Apex Court of India, in Para 14 of the judgment cited supra.

3. With these observations, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (T&P)

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/ /2021

Sub Assistant Registrar(CS)

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To

The Regional Provident Fund Commissioner-I
Regional Office of the Employees Provident Fund Organization
Lady Doak College Road,
Chokkikulam, Madurai-2.

+1cc to K.Murali Sankar, Advocate, SR.No.26434.

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SSS (CO)

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