



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2020

CORAM:

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

W.P. (MD)No.642 of 2017

and

W.M.P. (MD)Nos.509 and 510 of 2017

WEB COPY

Sun (Tamilnadu) Security
Management Services Pvt. Ltd.,
Rep. by its Managing Director,
Shri V.Vijimon, Ram Nagar,
By-Pass Road, Madurai - 10.

... Petitioner

Vs

1.The Regional Provident Fund Commissioner,
Employees' Provident Fund Organisation,
Regional Office,
No.1, Lady Doak College Road,
Chokkikulam, Madurai - 625 002.

2.IDBI Bank,
Rep. by its Branch Manager,
By-Pass Road, Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India,praying to issue a Writ of Certiorarified Mandamus,to call for the records relating to the impugned order of the First Respondent in his file reference No.TN/MDU/42662/PDC/CircleM7/8F/2016,dated 05.01.2017 and quash the order of the First Respondent and to direct the Second Respondent not to freeze the petitioner Bank Account.

For Petitioner : Mr.M.N.Ramkumar

For Respondents : Mr.V.S.V.Venkateshvaran for R1

O R D E R

Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the first respondent/Employees' Provident Fund Organization.

2.The petitioner is an assessee coming within the purview of Employees' Provident Fund Organization. The petitioner was visited with an order Section 14-B of Employees' Provident Fund Act, for levying damages. The order to this effect passed on 17.11.2016 was received by the petitioner on 29.11.2016. The petitioner had filed an appeal before the Tribunal questioning the said order. Even before the expiry of the appeal time, the impugned order of attachment had been straightaway passed. There is considerable



merit in the contention of the petitioner's counsel that the order of attachment ought not have been passed inasmuch as it deprived the petitioner's right of appeal.

3.The learned standing counsel states that probably realising the same, the first respondent themselves have not given effect to the order impugned in this writ petition.

4.Recording the said submission of the learned standing counsel appearing for the first respondent, this writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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.

W.P. (MD) No. 642 of 2017

09.07.2020

AP(15/07/2020) 2P 1C