

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.02.2021

CORAM

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

W.P.No.1974 of 2021

&

W.M.P.No.2235 of 2021

C.H.02, Chennimalai Siragiri Murugan Handloom  
Weaver's Co-operative Production and  
Safe Society

Rep. By its President

N.Elangovan S/o Natarajan

No.57, East New Street,

Chennimalai-638 051

Perundurai Taluk, Erode District.

.. Petitioner

Vs.

1.The Regional Provident Fund Commissioner  
Employees Provident Fund Organization  
Regional Office, S.J.Plaza  
Swarnapuri, Salem-4

2. The Assistant Provident Fund Commissioner  
Regional Office  
Steel Plant Road,  
Thalavaipatti, Salem-636 302

3.The Enforcement Officer  
Employees Provident Fund Organization  
District Office, Erode, Erode District .. Respondents

Prayer:- Writ petition filed under Article 226 of the  
Constitution of India praying to issue a Writ of Mandamus  
forbearing the respondents from taking any corrosive actions  
against the petitioner society and its Board of Directors.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.R.Thirunavukkarasu,  
Standing Counsel

O R D E R

The grievance of the petitioner is that during the  
pendency of the proceedings U/s. 7(A) Employees Provident

Funds and Miscellaneous Provisions Act, 1952, (hereinafter referred to as the 'Act') the officials of the respondents organization are taking coercive steps.

2. Admittedly, the enquiry U/s.7(A) of the Act is pending from 25.11.2019. Learned counsel for the petitioner would vehemently contend that the regular employees have already paid the contribution and for coolie employees who goes to work under different employers on day to day basis, the respondents organization is compelling them to pay the contribution and taking coercive steps.

3. Considering the facts and circumstance of the case, the 2<sup>nd</sup> respondent is directed to consider the grievances raised by the petitioner by affording opportunity of personal hearing and to complete the enquiry U/s. 7(A) of the Act and pass orders within a period of three months from the date of receipt of a copy of this order. It goes without saying till the order is passed no coercive steps shall be taken.

Writ petition is disposed of with the above directions. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Regional Provident Fund Commissioner  
Employees Provident Fund Organization  
Regional Office, S.J.Plaza  
Swarnapuri, Salem-4

2. The Assistant Provident Fund Commissioner  
Regional Office  
Steel Plant Road,  
Thalavaipatti, Salem-636 302

3. The Enforcement Officer  
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District Office, Erode, Erode District

GP(CO)  
SM/02/03/2021

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