



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

W.P.No.20351 of 2004

Cotton Research Station,
rep. By its Professor and Head,
Tamil Nadu Agricultural University,
Srivilliputhur - 626 125,
Virudhunagar District.

... Petitioner

Vs.

The Assistant Provident Fund Commissioner,
Employee's Provident Fund Organization,
Sub-Regional Office,
No.1, LDC Road, Chokkikulam,
Madurai 625 002.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari, to call for the records from the file of the Respondent in his proceedings No.TN/MDU/Circle: 10/Damages/TN/37196/CA, dated 22.08.2003 and to quash the same.

For Petitioner : Mr.S.Jayaraman

For Respondent : Mr.C.Kulanthaivel

O R D E R

Petitioner has come up with this Writ Petition seeking to quash the proceedings No.TN/MDU/Circle: 10/Damages/TN/37196/CA, dated 22.08.2003.

2. Heard the learned counsel on either side and perused the material documents available on record.

3. Admittedly, the Petitioner has got an alternative remedy by way of an Appeal. Though the impugned order has been passed as early as on 22.08.2003, the Petitioner has approached this Court only on 12.07.2004 and that, the Appeal time had also lapsed. Hence, this Court has no other option except to dismiss



this Writ Petition and confirm the order of the Authority concerned.

4. In view of the above, this Writ Petition stands dismissed.

5. Insofar as contribution and interest is concerned, it is the duty cast on the employer to pay the same to the employee. It is open to the Authorities concerned to decide about the damages based on the statutory provisions, if not already decided.

No costs. Consequently, connected W.M.P.No.24490 of 2004 is closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

(aeb)

To

The Assistant Provident Fund Commissioner,
Employee's Provident Fund Organization,
Sub-Regional Office,
No.1, LDC Road, Chokkikulam,
Madurai 625 002.

W.P.No.20351 of 2004

CP (CO)
SU (26/07/2021)