

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.4586 of 2021 and
W.M.P. Nos.5211 & 5212 of 2021

M/s.P.Chandru Machine Tools,
SF No.273/2C, Pillandipattu Village,
Katpadi Taluk,
Vellore District-632 204. Petitioner

-vs-

- 1.The Assistant Provident Fund Commissioner,
S-1, TNHB, Phase-III,
Sathuvachari,
Vellore-632 009.
- 2.The Recovery Officer,
Employees Provident Fund Organisation,
S-1, TNHB, Phase-III,
Sathuvachari, Vellore-632 009. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records in Ref.No.TN/VL/74061/Recovery/2021, dated 27.01.2021 passed by the first respondent for proclamation of sale quash the same and consequently directing the first respondent to consider the petitioner representation dated 19.02.2021 by granting 2 months time in remitting the balance dues.

For Petitioner : Mr.B.Kumarasamy

For Respondents: Ms.V.J.Latha

O R D E R

The Writ Petition is filed, to quash the proceedings in Ref.No.TN/ VL/74061/Recovery/2021, dated 27.01.2021, passed by the first respondent for proclamation of sale and for a consequential direction to the first respondent to consider the representation made by the petitioner, dated 19.02.2021 by granting 2 months time in remitting the balance dues.

2. When the matter is taken up for hearing, it is represented by the petitioner that due to pandemic situation that a huge amount has been determined by the authorities concerned, the petitioner

Management is willing to pay the amount after adjusting the amount already paid from the date of Writ Petition till date.

3. In view of the submission made by the counsel for the petitioner that the Management is willing to pay nearly a sum of Rs.15 lakhs, this Court is inclined to accept the same and directed the petitioner Management to pay the same in 15 equal instalments, the first of which shall be paid commencing from May, 2021 and the subsequent instalments shall be paid on or before the 5th of every Calender month. In case, the Management defaults in any one of the instalments, the impugned order will be received and it is open to the respondents to proceed against the petitioner.

4. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

vum

To

1.The Assistant Provident Fund Commissioner,
S-1, TNHB, Phase-III,
Sathuvachari,
Vellore-632 009.

2.The Recovery Officer,
Employees Provident Fund Organisation,
S-1, TNHB, Phase-III,
Sathuvachari, Vellore-632 009.

+ 1 cc to Mr. B. Kumarasamy, Advocate Sr.23966

pl(co)
eu 6.5.2021

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