



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

WEB COPY

W.P(MD)No.8547 of 2010

and

M.P.(MD)No.1 of 2010 and WMP(MD)No.6219 of 2016

M/s Sivagangai District Central Cooperative Bank Ltd.,
represented by its Special Officer/
Joint Registrar,
Gandhi Road,
Sivagangai.

... Petitioner

Vs.

The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Regional Office, Lady Doak College Road,
Chokkikulam, Madurai-625 002,
Tamil Nadu.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a writ of CERTIORARIFIED MANDAMUS to call for the records relating to impugned order passed the Respondent vide D.TN/20759/Enf./Exem./MDU/RO/2010 dated 20-05-2010 and quash the same and consequently direct the Respondent to permit the petitioner Bank to continue with the exemption granted vide order dated 10-04-1997.

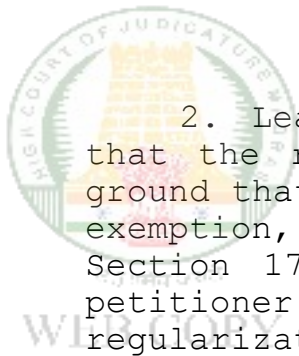
For Petitioner : Mr.D.Shanmugarajasethupathi

For Respondent : Mr.K.Muralishankar
Standing Counsel

* * * * *

ORDER

This Writ Petition is filed seeking issuance of a writ of CERTIORARIFIED MANDAMUS to call for the records relating to impugned order passed the Respondent vide D.TN/20759/Enf./Exem./MDU/RO/2010 dated 20-05-2010 and quash the same and consequently direct the Respondent to permit the petitioner Bank to continue with the exemption granted vide order dated 10-04-1997.



2. Learned Counsel appearing for the petitioner would submit that the respondent issued the impugned show cause notice on the ground that there was a violation of conditions covered for grant of exemption, for which regularization order was cancelled under Section 17(4) of the EPF Act and after the impugned order, the petitioner Bank complied with all the conditions imposed in the regularization order and recouped the financial stability and hence, nothing survives for further adjudication.

3. Recording the above said submission made by the learned Counsel appearing for the petitioner, this Writ Petition is closed. No costs. Consequently, the connected Miscellaneous Petitions are also closed. However, it is made clear that this Court has not expressed any opinion with regard to the impugned order and it is for the EPF authority to satisfy as to whether the petitioner Bank complied with all the conditions imposed in the regularization order for the subsequent period.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SSL

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.

To:

The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Regional Office, Lady Doak College Road,
Chokkikulam, Madurai-625 002,
Tamil Nadu.

+1 CC to M/s.K.MURALISANKAR, Advocate (SR-13547F] dated 25/03/2021)

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-13861[F] dated 26/03/2021)

W. P (MD) No. 8547 of 2010

24.03.2021

RRS (10.05.2021) 2P 4C