



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) .No.2084 of 2021

and W.M.P. (MD) .No.1752 of 2021

WEB COPY

AAA College of Engineering and Technology,
Rep. by its Chairman Mr.P.Panju Rajan,
Kamarajar Educational Road,
Amathur Village,
Sivakasi - 626 005.
Virudhunagar District.

... Petitioner

Vs.

1.The Regional Provident Fund Commissioner - II,
Employees Provident Fund Organization,
Regional Office, Bhavishya Nidhi Bhavan,
Chokkukulam, Madurai - 625 002.

2.The Enforcement Officer,
Employees Provident Fund Organization,
District Office,
AKM Complex, Old Virudhunagar Road,
Sivakasi - 626 189, Virudhunagar District.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 22.01.2021, by granting time to the petitioner, fixed by this Court, to make payment of the balance PF amount.

For Petitioner : Mr.S.Raja Jeya Chandra Paul
For Respondent : Mr.A.John Xavier, Standing Counsel

O R D E R

Heard Mr.S.Raja Jeya Chandra Paul, learned counsel for the petitioner and Mr.John Xavier, learned Standing Counsel for the respondents.

2.The petitioner herein has not challenged the claim of the Provident Fund Department, but has expressed their inability to pay the demand in one lumpsum owing to the Covid - 19 pandemic lock down. In view of the sympathetic plea made in the present writ petition and also taking into account the Covid - 19 pandemic, the ends of justice could be secured, if the petitioner is granted the liberty to make the PF contributions in two equal installments.



3. Accordingly, the petitioner is granted liberty to pay the EPF contribution in two equal monthly installments, commencing from 1st April 2021 and the second installment shall be paid in the 1st May 2021. Such payment will also include the accrued interest on the same. It is made clear that in case the petitioner default in making the first payment, the respondents are at liberty to claim the entire amount in a lumpsum.

4. Accordingly, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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.

+1 CC to Mr.S.RAJA JEYACHANDRA PAUL, Advocate (SR-4405[F] dated 11/02/2021)

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(SV2)

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