



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.2281 of 2021

and

W.M.P (MD) Nos.1907 and 1908 of 2021

WEB COPY

A2911, The State Government Employees
Consumer Co-operative Store Ltd.,
Rep. by its President,
M.Ramar,
S/o.Mayandi,
Kamarajar Nagar 2nd Street,
Tallakulam,
Madurai-625002.

... Petitioner

Vs

1.The Assistant Provident Fund Commissioner,
Regional Office,
Bhavishya Nidhi Bhavan,
Chokkikulam,
Madurai-625002.

2.The Branch Manager,
Madurai District Central Co-operative Bank,
Head Office,
No.187, North Veli Street,
Madurai-625001.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records pertaining to the impugned order of Recovery passed by the first respondent vide his proceeding in No.TN/RO/MD/MDU/29758/Recovery/M-04/8F/2021, dated 28.01.2021 and quash the same as illegal.

For Petitioner : Mr.C.Mayilvahana Rajendran

For R-1 : Mr.V.S.Venkateswaran

O R D E R

Heard the learned counsel for the petitioner and the learned counsel for the first respondent.

2.Though the order under Section 8F of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 is put under challenge, the learned counsel for the petitioner would make a sympathetic ground stating that the petitioner may be permitted to pay the provident fund dues under the impugned order, in easy installments.



3.This Court in similar circumstances had entertained such a request by taking into consideration of the COVID-19 pandemic situation. Accordingly, the petitioner is permitted to pay the provident fund dues under the impugned order dated 28.01.2021 in three equal monthly installments and the first installment shall be made on 1st April 2021 and subsequent two installments shall be made on the first day of subsequent months. It is made clear that in case, there are defaults in payment of any one of the installments, the respondents are at liberty to claim the entire sum dues along with interest.

4.Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cp

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:

1.The Assistant Provident Fund Commissioner,
Regional Office,
Bhavishya Nidhi Bhavan,
Chokkikulam,Madurai-625002.

2.The Branch Manager,
Madurai District Central Co-operative Bank,
Head Office,
No.187, North Veli Street,Madurai-625001.

+1 CC to M/s.C.MAYILVAHANA RAJENDRAN, Advocate (SR-4758[F] dated 12/02/2021)

Order made in
W.P. (MD)No.2281 of 2021
11.02.2021

(ARK) CO

AP(15/02/2021) 2P 4C

<https://hcservices.ecourts.gov.in/hcservices/>