



WEB COPY

W.P. (MD) No.4908 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2021

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. (MD) No.4908 of 2014

and

M.P(MD)Nos.1 and 2 of 2014

Lord's and Angel's Minority Educational & Cultural Society
Represented through its President

R.M.Rajesh

Thailapuram

Nazareth-628617

Thoothukudi District.

... Petitioner

Vs.

The Assistant Provident Fund Commissioner,

Employees Provident Fund Organization

Bhavishya Nidhi Bhavan

NGO B Colony,

Perumalpuram Post,

Tirunelveli-627 007.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to impugned order passed by the Respondent in his proceedings in No.MD/TNY/0089382/000/Enf 512/Damages/PDC(2)/2014 dated 28.01.2014 and quash the same.

For Petitioner : Mr.Subbu
for Mr.T.A.Ebenezer

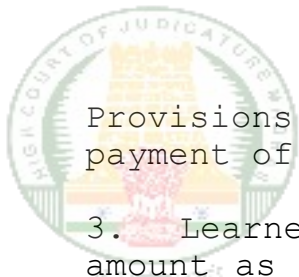
For Respondent : Mr.K.Muralishankar
Standing Counsel

ORDER

(through video conference)

Heard Mr.Subbu, Learned Counsel for the Petitioner and Mr.K.Muralishankar, Learned Counsel for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition challenges the Notice No.MD/TNY/0089382/000/Enf 512/Damages/PDC(2)/2014 dated 28.01.2014 issued by the Respondent requiring the Petitioner to attend the enquiry conducted under Section 14-B of the Employees' Provident Funds and Miscellaneous



Provisions Act, 1952 for determining the liability for delayed payment of provident fund dues.

3. Learned Counsel for the Petitioner states that the entire amount as demanded by the Respondent has been paid and that a memo through e-mail would be filed to that effect, which shall be placed on record. However, as Learned Counsel for the Respondent states that he is not able to confirm the same, it is clarified that if there is any shortfall in that regard, the Respondent is not precluded from recovering the amount due from the Petitioner in accordance with law.

In the result, the Writ Petition is disposed on the aforesaid terms. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ns/SRM

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 M/s.K.MURALI SANKAR, Advocate (SR-17219[F] dated 23/04/2021)

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