



W.P(MD)No.14660 of 2012

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 16.08.2022**

**CORAM**

**THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN**

**W.P(MD)No.14660 of 2012**

**and**

**M.P(MD)No.1 of 2012**

Saliangalam Primary Agricultural  
Co-operative Bank Limited,  
Represented by its Special Officer,  
Saliangalam Post,  
Papanasam Taluk,  
Thanjavur District.

... Petitioner

**Vs**

1.The Provident Fund Officer,  
Employees Provident Fund Organisation,  
Sub-Regional Office, 19, Thanjavur Road,  
Trichy.

2.The Regional Provident Fund Commissioner - II,  
Employees Provident Fund Organisation,  
Sub-Regional Office,  
19, Thanjavur Road,  
Trichy.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent in No.TRY/PFI/43520, dated 23.03.2010 and quash the same as illegal, arbitrary and unenforceable and consequently direct the first respondent to consider the case of the petitioner for waiver of payment of damages and interest thereon in respect of its Provident Fund amount.



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For Petitioner : Mr.V.K.Vijayaragavan

For Respondents : Mr.I.Pinaygash  
Standing Counsel

### **ORDER**

This Writ Petition is filed for issuance of a Writ of Certiorari, to quash the order of the first respondent in No.TRY/PFI/43520, dated 23.03.2010 and consequently directing the first respondent to consider the case of the petitioner for waiver of payment of damages and interest thereon in respect of its Provident Fund amount.

2. When the matter is taken up for hearing today, learned Standing Counsel appearing for the respondents submitted that no final order has been passed directing the petitioner to pay the amount and the impugned order is only a show-cause notice.

3. Learned counsel appearing for the petitioner submitted that the petitioner shall be given an opportunity to submit his explanation, for the authorities to pass orders on the basis of his explanation.



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4. Considering the limited scope of the enquiry, after hearing the submissions of the learned counsel appearing for the parties, this Court directs the petitioner to give its response to the notice, dated 23.03.2010 within a period of three weeks from the date of receipt of a copy of this order. On receipt of the petitioner's explanation, the respondents are directed to consider the representation, after giving an opportunity of hearing to the petitioner and dispose the matter in the manner known to law, as early as possible preferably within a period of four weeks from the date of petitioner's explanation.

5. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**16.08.2022**

Internet :Yes  
Index :Yes / No  
ps

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  
concerned.

/

litigant



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**G.CHANDRASEKHARAN, J.**

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To

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Employees Provident Fund Organisation,  
Sub-Regional Office, 19, Thanjavur Road,  
Trichy.
- 2.The Regional Provident Fund Commissioner - II,  
Employees Provident Fund Organisation,  
Sub-Regional Office,  
19, Thanjavur Road,  
Trichy.

Order made in  
**W.P(MD)No.14660 of 2012**

**16.08.2022**