



WEB COPY



W.P.No.18032 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2023

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THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.No.18032 of 2013

And

M.P.Nos.1 of 2013 and 1 of 2015

M/s.Roca Bathroom Products (P) Ltd
Rep. by its Senior General Manager Operations ... Petitioner

Vs.

1.The Regional PF Commissioner,
Employees' Provident Fund Organisation,
Sub Regional Office,
S J Plaza,
Swarnapuri,
Salem 636 004.

2.The Secretary,
Perundurai Parryware Roca Thozhilalargal
Munnetra Sangam,
312, 1010 Colony,
Mugasipidariyur,
Chennimalai, Erode.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the record of the first respondent in Proceedings No.TN/SRO/SLM/COMP-II/70329/ED-III/2013 dated 04.06.2013 in respect of enquiry under Section 7A of EPF Act and quash the same and further forebear the first respondent



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from determining contribution and directing the petitioner to pay contribution in respect of its Trainees / Apprentices for the period from September 2010 onwards.

For Petitioner : Mr.Anand Gopalan
for M/s.T.S.Gopalan and Co.
For Respondents : Mr.P.K.Paneerselvam for R1
No Appearance for R2

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records of the first respondent in Proceedings No.TN/SRO/SLM/COMP-II/70329/ED-III/2013, dated 04.06.2013 in respect of enquiry under Section 7A of EPF Act and to quash the same and further forebear the first respondent from determining contribution and directing the petitioner to pay contribution in respect of its Trainees / Apprentices for the period from September 2010 onwards.

2.The learned counsel for the petitioner submitted that the petitioner is the manufacturer of sanitary ware products and based on the complaint lodged by the second respondent seeking to cover the company trainees under the EPF Scheme, the first respondent issued notice calling the petitioner for enquiry and challenging the same, the



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petitioner has filed this writ petition. He further submitted that the matter is now proceeded with by the first respondent.

3.Heard both sides and perused the materials available on record.

4.Since the petitioner has filed this writ petition challenging the notice calling the petitioner for enquiry, this Court is not inclined to entertain this writ petition. However, this Court grants liberty to the petitioner as well as the second respondent to agitate all the issues before the first respondent. The first respondent shall conclude the enquiry and pass appropriate orders, on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.

5.The writ petition is accordingly disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

04.01.2023

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

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J.NISHA BANU,J.
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To

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Salem 636 004.
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