



W.P.No.26714 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.26714 of 2013

and

M.P.Nos.1 & 2 of 2013

The Puducherry Co-operative Sugar
Mills Ltd., P.315,
rep. by its Managing Director,
Lingareddipalayam, Katterikuppam Post,
Puducherry – 605 503.

.... Petitioner

Vs

1. The Regional Provident Fund
Commissioner-II/OIC,
Employees Provident Fund Organisation,
Sub Regional Office,
No.101, 100ft Road, Cholan Nagar,
Olandaikeerapalayam,
Puducherry – 605 004.

2. The Enforcement Officer,
Employees Provident Fund Organisation,
Sub Regional Office,
No.101, 100ft Road, Cholan Nagar,
Olandaikeerapalayam,
Puducherry – 605 004.



W.P.No.26714 of 2013

3. The Pondicherry State Co-op Bank Ltd.,
rep. by its Manager,
204, East Coast Road,
Olandaikeerapalayam,
Puducherry – 605 004.

4. State Bank of India,
rep. by its Asst. General Manager,
15, Rue Suffren,
Puducherry – 605 001.

5. Union of India,
rep. by the Secretary to Government,
Ministry of Labour & Employment,
Government of India,
Shram Shakthi Bhawan,
Rafimarg, New Delhi – 110 001.

6. The Superintendent of Police (South),
Mettupalayam, Puducherry – 605 009.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Certiorarified Mandamus, calling for the records relating to (i) the order bearing No.CHN.SRO/PONDY/PC/286/Comp/2013, dated 03.09.2013 (ii) the order bearing No.CHN/SRP/PONDY/PC/286Comp/2013, dated 03.09.2013 & (iii) the complaint bearing No.TN/SRO/PCY/EO-Divn-IV/2013 dated 16.09.2013 on the file of the respondents 1 & 2 and quash the same and consequently, forbear the respondents 1 & 2 from taking recovery actions under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 against the petitioner till the disposal of its application u/s16(2) of the said Act dated 16.09.2013 by the 5th respondent.



WEB COPY



W.P.No.26714 of 2013

For Petitioner : Mr.T.M.Naveen
For R1 & R2 : Mr.P.K.Panneer Selvam
For R3 : Mr.R.Sreedhar
For R4 & R5 : No appearance
For R6 : Mr.A.Tamilvanan
Additional Government Pleader

ORDER

This writ petition has been filed to call for the records relating to (i) the order bearing No.CHN.SRO/PONDY/PC/286/Comp/2013, dated 03.09.2013 (ii) the order bearing No.CHN/SRP/PONDY/PC/286Comp/2013, dated 03.09.2013 & (iii) the complaint bearing No.TN/SRO/PCY/EO-Divn-IV/2013 dated 16.09.2013 on the file of the respondents 1 & 2 and quash the same and consequently, forbear the respondents 1 & 2 from taking recovery actions under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 against the petitioner till the disposal of its application u/s16(2) of the said Act dated 16.09.2013 by the 5th respondent.

2. The learned counsel appearing for the petitioner submitted that while pending writ petition, the petitioner settled all the dues in the month of January, 2020.



W.P.No.26714 of 2013

WEB COPY

3. Recording the said submission, this Writ Petition is

closed. Consequently, connected miscellaneous petitions are closed.

There shall be no order as to costs.

05.07.2023

Internet: Yes

Index: Yes/No

Speaking/Non-speaking order

Lpp

To

1. The Regional Provident Fund
Commissioner-II/OIC,
Employees Provident Fund Organisation,
Sub Regional Office,
No.101, 100ft Road, Cholan Nagar,
Olandaikeerapalayam,
Puducherry – 605 004.

2. The Enforcement Officer,
Employees Provident Fund Organisation,
Sub Regional Office,
No.101, 100ft Road, Cholan Nagar,
Olandaikeerapalayam,
Puducherry – 605 004.

3. The Manager,
The Pondicherry State Co-op Bank Ltd.,
204, East Coast Road,
Olandaikeerapalayam,
Puducherry – 605 004.



W.P.No.26714 of 2013

WEB COPY

4. The Asst. General Manager,
State Bank of India,
15, Rue Suffren,
Puducherry – 605 001.

5. The Secretary to Government,
Union of India,
Ministry of Labour & Employment,
Government of India,
Shram Shakthi Bhawan,
Rafimarg, New Delhi – 110 001.

6. The Superintendent of Police (South),
Mettupalayam, Puducherry – 605 009.



WEB COPY



W.P.No.26714 of 2013

G.K.ILANTHIRAIYAN, J.

Lpp

W.P.No.26714 of 2013

05.07.2023