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W.P.No.6255 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6255 of 2023

Info Plus Technologies Pvt Ltd.,
Rep. by its Director G.V.H. Prasad,
No.61, Developed Plot Estate,
Perungudi, Chennai – 600 096.

... Petitioner

Vs.

The Regional Provident Fund Commissioner – II (PDC)
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Government of India,
Royapettah High Road,
Chennai – 600 014.
Respondent

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to dispose of the petitioner's representation dated 22.12.2022 as expeditiously as possible.

For Petitioner : Mr.D. Nellaiappan

For Respondent : Mr.K. Ramu



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ORDER

Mr.K. Ramu, learned counsel, takes notice for the respondent.

With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given representation on 22.12.2022 to the respondent, seeking to permit them to pay the dues in monthly installments along with the current dues. Since the said representation was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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4. In the light of the above observation, there shall be a direction to the respondent herein, to consider the petitioner's representation dated 22.12.2022, after giving due opportunity of hearing to the petitioner, on its own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands ordered. No costs.

02.03.2023

Speaking/Non-speaking Order
Internet: Yes/No
Index: Yes/No
Neutral Citation: Yes/No

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M.S.RAMESH, J.

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To

The Regional Provident Fund Commissioner – II (PDC)
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Government of India,
Royapettah High Road,
Chennai – 600 014.

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