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W.P.Nos.32509, 32510 & 32511 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.Nos.32509, 32510 & 32511 of 2013
and W.M.P.Nos.1,1,1 and 2,2 and 2 of 2013

M/s.Ramco Super Leather Ltd.,
Bangalore Road, Karugambathur
Vellore, Vellore District 632 013

... Petitioner in all W.Ps.

-Vs-

1.The Regional Provident Fund Commissioner
Employees Provident Fund Organisation
Sub Regional Office
31, Filterbed Road, Vellore 632 001.

2.The Assistant Provident Fund Commissioner
& Recovery Officer, Employees Provident
Fund Organization, Sub Regional Office
31, Filterbed Road, Vellore 632 001.

... R1 & R2 in
all W.Ps.

3.Recovery Officer
Employees Provident
Fund Organization, Sub Regional Office
31, Filterbed Road, Vellore 632 001.

4.The Assistant Provident Fund Commissioner
(Recovery) Employees Provident Fund
Organization, 37, Royapettah High Road
Chennai – 600 014.

... R3 & R4 in
WP 32509/2013

Prayer in W.P.32509 of 2013 : Writ Petition under Article 226 of the Constitution of India



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praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent in proceedings No.TN/VLR/ SDC/19635/ 2011-12 dated 1.2.2012 and its consequential Recovery Proceedings of the 2nd respondent in proceedings NO. TN/ VL/19635/ RECY/2012 dated 23.4.2012 order of the 3rd respondent in proceedings NO. TN/ VLR/ 19635/ DIV./Recovery dated 1.5.2013 and order of the 4th respondent in proceedings No.CHN/ TN/23531 VL/19635 & AMB/ 23533/ Recovery/ Regl/2013 dated 30.10.2013 and quash the same and direct the respondents to hold an enquiry under section 14B of the act by affording personal hearing to the petitioner and pass a reasoned order before initiating any recovery proceedings against the petitioner.

Prayer in W.P.32510 of 2013 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent in proceedings No.TN/VLR/ Circle : 6 / damages/TN/ 19635/CA/55 dated 23.2.2005 and its consequential Recovery Proceedings of the 2nd respondent in proceedings NO. TN/ VL/19635/ RECY/2011 dated 27.4.2011 10.10.2011 1.12.2011 28.12.2011 quash the same and direct the respondents to hold an enquiry under section 14B of the act by providing personal hearing to the petitioner and pass a reasoned order before initiating any recovery proceedings against the petitioner.

Prayer in W.P.32511 of 2013 : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records of the 1st respondent in proceedings No.TN/VLR/ Circle : 6 / damages/TN/ 19635/CA/ 2003 dated 8.12.2003 and its consequential Recovery Proceedings of the 2nd respondent in proceedings NO. TN/ VL/19635/ RECY/2011 dated 27.4.2011 10.10.2011 1.12.2011 28.12.2011 quash the same and direct the respondents to hold an enquiry under section 14B of the act by providing personal hearing to the petitioner and pass a reasoned order before initiating any recovery proceedings against the petitioner.

In all W.Ps.



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For Petitioner : Mr.G.Anand Gopalan
for M/s.T.S.Gopalan & Co.,

For Respondent : Mr.R.Thirunavukkarasu
- for RR 1 and 2

COMMON ORDER

Mr.R.Thirunavukkarasu, learned counsel for the contesting respondents would submit that the writ petitioner has settled all the dues along with recovery charges. Even the recovery certificates that had been issued by the Regional Office have been withdrawn. Therefore, nothing remains for adjudication.

2. Mr.Anand Gopalan, learned counsel for the petitioner would submit that the payments were made without prejudice to the writ petitions and he is yet to ascertain from his client whether they are interested in pursuing the writ petitions.

3. Recording the above submissions, these writ petitions are disposed of. However, it is made clear that the respondents cannot initiate recovery proceedings on the basis of the impugned orders. In such eventuality, liberty is granted to the petitioner to make a mention to restore the writ petitions.

15.06.2023

Index : Yes/No
Neutral Citation : Yes/No
KST

To



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