



WEB COPY



W.P.No.33173 of 2023  
and W.M.P.No.32870 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

W.P.No.33173 of 2023  
and W.M.P.No.32870 of 2023

The Tamil Nadu State AIDS Control Society,  
Represented by its Project Director/Member Secretary,  
No.417, Pantheon Road,  
Egmore, Chennai - 8.

... Petitioner

Vs.

1.The Regional Provident Fund Commissioner,  
Bhavishya Nidhi Bhawan,  
No.37, Royapettah High Road,  
Chennai - 14.

2.The Chief Manager,  
State Bank of India,  
Egmore Branch,  
Egmore, Chennai - 8.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents not to initiate coercive steps to recover the amount pursuant to the proceedings dated 16.08.2023 bearing No.TN/CHN-I/CC-II(PDC)/TNMAS0036146000/D-28/2023 on the file of the first respondent till the disposal of the appeal EPFA No.161/2023 filed before the Central Government Industrial Tribunal.



W.P.No.33173 of 2023  
and W.M.P.No.32870 of 2023

WEB COPY

For Petitioner : Ms.C.N.G.Niraimathi  
For R1 : Mr.K.Venkatesan  
For R2 : Mr.C.Mohan  
for M/s.King & Partridge

### **ORDER**

The grievance of the writ petitioner is that the first respondent had imposed 100% damages on payment of EPF amount of Rs.1,54,15,509/- and that in this regard the writ petitioner had filed an appeal in EPFA.No.161/2023 before the Central Government Industrial Tribunal.

2.Ms.C.N.G.Niraimathi, learned counsel for the writ petitioner would contend that since there is no Presiding Officer in the Central Government Industrial Tribunal, Chennai, she has filed this writ petition directing the first respondent not to initiate any coercive steps to recover the amount ordered vide proceedings dated 16.08.2023 bearing No.TN/CHN-I/CC-II(PDC)/TNMAS0036146000/D-28/2023.

3.Mr.C.Mohan, learned counsel for the second respondent bank would contend that as per the attachment order passed by the first respondent, they had remitted a sum of Rs.23,19,089/- which was



W.P.No.33173 of 2023  
and W.M.P.No.32870 of 2023

available in the account of the writ petitioner and that they have obeyed the orders passed by the first respondent. It is further contended that the Presiding Officer of Central Government Industrial Tribunal, Lucknow has now been deputed to Chennai and would be taking up the matters on 07.12.2023.

4.In such circumstances, the writ petitioner can make representation before the concerned Presiding Officer on 07.12.2023. Till such time, the first respondent is directed not to take any coercive steps against the present writ petitioner. Liberty is given to the writ petitioner to mention their matter on 07.12.2023 before the Central Government Industrial Tribunal, Chennai, if so advised.

5.With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

**29.11.2023**

Index: Yes/No  
Internet: Yes/No  
Speaking/Non-Speaking order  
mtl



W.P.No.33173 of 2023  
and W.M.P.No.32870 of 2023

WEB COPY

To

1.The Regional Provident Fund Commissioner,  
Bhavishya Nidhi Bhawan,  
No.37, Royapettah High Road,  
Chennai - 14.

2.The Chief Manager,  
State Bank of India,  
Egmore Branch,  
Egmore, Chennai - 8.



WEB COPY



W.P.No.33173 of 2023  
and W.M.P.No.32870 of 2023

**R. HEMALATHA, J.**  
mtl

W.P.No.33173 of 2023  
and W.M.P.No.32870 of 2023

29.11.2023