



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7060 of 2023 and
W.M.P.(MD)Nos.6694, 6695 & 6697 of 2023

NN 552 Kannankudi Primary
Agricultural Cooperative Credit Society Ltd.,
Rep. through its Secretary,
Kannankudi Post, Kappalur Via,
Devakottai Taluk,
Sivagangai District – 630 303. ... Petitioner

Vs.

1. The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
Regional Office, Lady Doak College Road,
Chinna Chokkikulam,
Madurai – 625 002.
2. The Recovery Officer,
Employees Provident Fund Organization,
Regional Office, Lady Doak College Road,
Chinna Chokkikulam,
Madurai – 625 002. ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records on the file of the 1st respondent and quash the order passed u/s 8F of the EPF Act in No. MD/MDU/24569/8F/PDC/840/2023 dated 01.02.2023 and U/s 14-B of the EPF Act in No. MD/MDU/PDC/24569/840/14B/2022 dated 15.11.2022.



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For Petitioner : Mr.VOS.Kalaiselvam

For Respondents : Mr.P.Karthick,
Standing Counsel.

* * *

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing counsel appearing for EPFO.

2. By the impugned order, the petitioner's bank account has been attached. The petitioner's counsel states that the primary liability under Section 7A of The Employees' Provident Funds and Miscellaneous Provisions Act 1952 has already been cleared. The authority had already recovered a sum of Rs.67,000/- from the petitioner's bank account towards interest. Today the petitioner's counsel has produced a demand draft for a sum of Rs.64,055/- drawn in the name of the Regional Provident Fund Commissioner, Madurai, for the balance amount in respect of the interest liability. As regards the liability under Section 14B of the Act, the petitioner wants



to abide by the outcome of the decision to be rendered by the Hon'ble Full Bench.

3. The petitioner is a cooperative society. They had shown their *bonafides* by producing the demand draft for a sum of Rs.64,055/-. The petitioner's counsel states that this demand draft will be handed over to the learned Standing counsel today itself.

4. In view of the same, the impugned attachment order is set aside. I make it clear that the liability of the petitioner for damages will abide by the outcome of the Hon'ble Full Bench decision that may be rendered shortly. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

24.04.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

Note : Issue order copy on 25.04.2023.



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To:

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Employees Provident Fund Organization,
Regional Office, Lady Doak College Road,
Chinna Chokkikulam,
Madurai – 625 002.
2. The Recovery Officer,
Employees Provident Fund Organization,
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G.R.SWAMINATHAN,J.

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