



W.P(MD)No.9749 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9749 of 2023
and
W.M.P(MD)No.8587 of 2023

M/s. Jumbo Fire Works India Private Limited,
80, Velayutham Road,
Sivakasi – 626 123,
Virudhunagar District,
Represented by its Managing Director.

... Petitioner

Vs

The Assistant Provident Fund Commissioner,
Empoyees' Provident Fund Organisation,
District Office,
AKM Complex,
Old Virudhunagar Road,
Sivakasi – 626 189.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in his proceedings in No.MD/MDU/DO/SVKS/59276/Mo9/7 Q Interest/2023, dated 06.02.2023 and quash the same and consequently permit the petitioner to clear the interest of Rs.15,95,537/- in 30 equal monthly installments.



W.P(MD)No.9749 of 2023

For Petitioner : Mr.K.Hemakarhikeyan
For Respondent : Mr.P.Karthick
Standing Counsel

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the demand of interest raised by the respondent. It is well settled that such an order is not appealable. It is not the case of the petitioner that there is any error in calculation. Payment of interest is a matter-of-course.

3.I am therefore inclined to sustain the order impugned in this writ petition. However, taking note of the special facts and circumstances in this writ petition, I permit the petitioner to clear the interest liability in ten (10) equal monthly installments. The first installment will commence on **08.05.2023**. If in case the petitioner commits default in paying two successive installments, the benefit of this order will stand automatically vacated without reference to this Court. The only relief that can be granted in this writ petition is payment of the interest liability in ten (10) equal monthly installments. The impugned order is sustained.



W.P(MD)No.9749 of 2023

4.This writ petition is disposed of accordingly. There shall be no order

as to costs. Consequently, connected miscellaneous petition is closed.

24.04.2023

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No
MGA

To

The Assistant Provident Fund Commissioner,
Empoyees' Provident Fund Organisation,
District Office,
AKM Complex,
Old Virudhunagar Road,
Sivakasi – 626 189.



WEB COPY



W.P(MD)No.9749 of 2023

G.R.SWAMINATHAN, J.

MGA

W.P(MD)No.9749 of 2023
and
W.M.P(MD)No.8587 of 2023

24.04.2023