



W.P.(MD).No.21538 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.21538 of 2023
and WMP(MD)No.17942 of 2023

M/s.JJ College of Engineering Technology,
Poolankulathupatti,
Trichy-620 009.
Through its Chairman

... Petitioner

Vs

The Assistant Provident Fund,
Commissioner I,
Employees Provident Fund Organization,
Regional Office, No.18, Sri Complex, Madurai Road,
Trichy - 625 008.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Certiorarified Mandamus, to call for the records from the file of the respondent proceedings bearing No.CB/TRY/32740/7Q/513/2023, dated 07.02.2023 claiming interest amount for the period from April 2020 to March 2022 to the tune of Rs.64,06,400/- and direct the petitioner to pay the ordered 7Q Interest amount in 36 (Thirty Six) Equal Monthly Installments.



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For Petitioner : Mr.C.Karthikeyan

For Respondent : Mr.I.Pinay Gash
Standing Counsel

ORDER

The present writ petition has been filed seeking a direction to quash the proceedings of the respondent claiming interest amount for the period from April 2020 to March 2022, to the tune of Rs.64,06,400/- in No.CB/TRY/32740/7Q/513/2023, dated 07.02.2023 and direct the petitioner to pay the ordered 7Q Interest amount in 36 (Thirty Six) Equal Monthly Installments.

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

3.Heard, Mr.C.Karthikeyan, learned counsel appearing for the petitioner and Mr.I.Pinay Gash, learned Standing Counsel appearing for the respondents.



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4. Notice cum demand letter under Section 7Q of the Employees Provident Fund Miscellaneous Provisions Act, 1952, dated 07.02.2023 has been issued against the petitioner College, thereby, demanding interest to the tune of Rs.64,06,400/- and direct the petitioner to pay the said amount within a period of 15 days, from the date of receipt of said demand letter. Hence, this writ petition is filed by the petitioner seeking permission to remit the aforesaid amount in 36 equal monthly instalments.

5. However, the learned Standing Counsel appearing for the respondent submitted that the petitioner can pay the due amount in instalments only in accordance with the instructions issued by the Additional Central PF Commissioners (Zones), Ministry of Labour, Government of India, dated 11.02.2014.

6. By relying upon the order of this Court in WP(MD)No.6919 of 2021, dated 25.03.2021, the petitioner College has sought similar sympathetic relief. The learned petitioner's counsel drew my attention that he has complied with the condition imposed by this Court without any default.



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7. In view of the above, the petitioner is directed to pay the interest amount claimed under Section 7Q of the EPF Act, in **thirty (30)** equal monthly installments and the first of the such installment shall commence from 05th October, 2023 and the balance of twenty nine installments shall be paid on or before 5th day of the subsequent months. If the petitioner fails to pay the monthly installments, the respondent can workout their remedy in the manner known to law.

8. With the above directions, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

07.09.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes

PNM

To
The Assistant Provident Fund,
Commissioner I,
Employees Provident Fund Organization,
Regional Office, No.18, Sri Complex, Madurai Road,
Trichy - 625 008.



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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
W.P.(MD).No.21538 of 2023
and WMP(MD)No.17942 of 2023**

07.09.2023