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W.P.No.20531 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.09.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.20531 of 2015

and

M.P.No. 1 of 2015

M/s. Sri Barathi Mills,
Rep. by its Managing Director,
A.Rajarathinam,
PB. No. 10, Cuddalore Main Road,
Pondicherry.

... Petitioner

Vs.

The Regional PF Commissioner-II,
Employees Provident Fund Organization,
No. 101, 100 Feet Road,
Pondicherry – 04.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the respondents vide TBM/PDY/PC/02/COMP/Div I/Summon/2014 dated 17.06.2015 summons to appear under Section 7A of the EPF Act and quash the same.



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For Petitioner : No appearance

For Respondent : No appearance

ORDER

This Writ Petition has been filed challenging the order of the respondent dated 17.06.2015, calling upon the petitioner to produce certain documents with regard to the assessment of dues, if any, payable by the petitioner under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (hereinafter referred to as 'the Act' for short).

2. There is no representation for both sides when the matter is called today and perused the materials available on record.

3. There is no interim order passed so far. The order, which was under challenge, itself only gives an opportunity to the petitioner for making a representation before determining any amount due to be paid



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by the petitioner.

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4. In the absence of any interim order, the consequential proceedings would have taken place in pursuance of the impugned notice dated 17.06.2015, and the petitioner is also not interested in pursuing further, probably because he had opted to work out his remedy by participating in the proceedings initiated under Section 7(A) of the Act.

5. The matter has been pending since 2015 without any progress. Since this Writ Petition has been filed challenging the opportunity given to the petitioner to make a representation before determining any amount due to be paid by the petitioner, but due to their disinterest in pursuing the same, I feel it is appropriate to dismiss the same.

6. In view of the same, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.



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Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
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To

The Regional PF Commissioner-II,
Employees Provident Fund Organization,
No. 101, 100 Feet Road,
Pondicherry – 04.



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R.N.MANJULA, J.

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