



WEB COPY



W.P.No.11647 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM :

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

W.P.No.11647 of 2024
and
W.M.P.13013 of 2024

K.Jawaharlal

...Petitioner

Vs.

1. The Regional PF Commissioner – II
Employees Provident Fund Organization,
Regional Office, P.B.No.588,
Sree Complex 'D' Block,
No.18, Madurai Road,
Trichy – 620 008.
2. The Enforcement Officer
Cuddalore – Division,
Employees Provident Fund Organization,
Regional Office,
P.B.No.588,
No.18, Madurai Road,
Trichy – 620 008.
3. The Branch Manager,
State of India
J.N.Road, Tiruvallur Branch,
Tiruvallur – 602 001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari to call for the records in



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connection with the impugned order passed by the respondent in No.TN/RO-TRY/8F (14 B)/1569408/PDC/C-21/2024 and No.TN/RO-TRY/8F(7Q)/1569408/PDC/C-21/2024 dated 19.02.2024 and quash the same.

For petitioner	:	Mr.D.Muthukumar
For R1 and R2	:	Mr.M.Pa.kanimuthu Standing Counsel for EPF
For R3	:	No appearance

ORDER

This writ petition is filed seeking to quash the orders No.TN/RO-TRY/8F (14 B)/1569408/PDC/C-21/2024 and No.TN/RO-TRY/8F(7Q)/1569408/PDC/C-21/2024 dated 19.02.2024.

2. Heard the learned counsel for the petitioner and the learned counsel representing the first and second respondents.

3. It is submitted by the learned counsel for the petitioner that the National Rural Health Mission (in short 'NRHM') was launched by the Government of India in the year 2005 to provide effective health care to the poor and marginalised sections of the society. The State Health



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Mission and State Health Society was constituted byway of G.O.Ms.No.309, Health and Family Welfare Department dated 16.12.2005. The said committee has also formed District Health Missions and District Health Societies in each of the Districts. As per G.O.Ms.No.27 Health and Family Welfare (EAP.II.2) Department.

4. The District Health Missions and District Health Societies in cuddalore was registered under the Societies Registration Act on 13.06.2006. The said society is fully funded by the Central and State Government in the ration of 60:40 and these funds were utilised to execute the health projects of the State and Central Government.

5. The respondent has initiated 14 B and 7 Q proceedings for a sum of Rs.13,93,519/- and Rs.8,53,304/- respectively and also initiated proceedings under Section 8 F of the EPF *vide* order dated 26.12.2023 and the bank account of the District Health Missions and District Health Society was frozen.

6. In the meanwhile, the first respondent has also passed orders dated 19.02.2024 under Section 8 F of the EPF Act against the petitioner and his bank account No.30067520032., SBI, Tiruvallur Branch was



frozen since at the time of opening of the bank account the petitioner's PAN number was utilised as he was working as Deputy Director of District Health Missions and District Health Society, Cuddalore. Therefore, sought for quashing the impugned orders as stated in the opening paragraph.

7. The grievance of the petitioner is that his personal account was freezed wrongly which is no way connected to the District Health Missions and District Health Society. The learned counsel for the first and second respondents has filed proceedings withdrawing the orders that were issued attaching the petitioner's bank account. However, as there was no clarity in the said orders, the learned counsel for the first and second respondents has filed corrigendum dated 26.06.2024 wherein it is mentioned as under:

“In view of the above, the undersigned hereby orders that in compliance of the Hon'ble High Court, Madras's order of stay in W.P.No.11647 of 2024, the orders under Section 8F of the EPF & MP Act, 1952 issued vide reference “1 & 2” cited, in respect of M/s. District Health Mission and District Health Society, Cuddalore shall be treated as withdrawn.”



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8. In view of the submissions made above, since the intention of the respondent was not to attach the personal account of the petitioner but to attach the account of the District Health Missions and District Health Society. While recording the same, the proceedings filed by the petitioner earlier on 13.06.2024 and also taking into consideration the corrigendum dated 26.06.2024 issued by the respondent, the impugned proceedings passed by the respondents in No.TN/RO-TRY/8F (14 B)/1569408/PDC/C-21/2024 and No.TN/RO-TRY/8F(7Q)/1569408/PDC/C-21/2024 dated 19.02.2024 are hereby quashed. The respondents are at liberty to initiate further proceedings, if at all not already initiated against the District Health Missions and District Health Society.

9. Accordingly, this writ petition is disposed of with the above observations. Connected W.M.P.is closed. No costs.

29.07.2024

vca

Index : Yes/No
Internet : Yes/No
Citation : Yes/No



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Dr.D.NAGARJUN,J

vca

To

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