



W.P.No.7417 & 7418 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.7417 & 7418 of 2014 and
M.P.Nos.1 and 2 of 2014 and M.P.No.1 and 2 of 2014

W.P.No.7417 of 2014

The Puducherry Co-Operative Sugar Mills Ltd.,P.315
Rep. By its Managing Director,
Lingareddipalayam, Katterikuppam Post,
Puducherry-605 503.

.. Petitioner

Vs.

- 1.The Union of India
Rep by the Secretary to Government,
Ministry of Labour and Employment,
Government of India,
Shra, Sakthi Bhawan,
Rafimarg, New Delhi-110 001.
- 2.The Employee's Provident Fund Organization,
Rep. By its Regional Provident Fund Commissioner-II/OIC
Sub-Regional Office,
No.101, 100 feet road, Cholan Nagar,
Puducherry-605 004.



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3.The Enforcement Officer

The Employee's Provident Fund Organization,Sub-Regional Office,
No.101, 100 feet road, Cholan Nagar,
Olandaikeerapalayam, Puducherry-605 004.

4.The Recovery Officer/APFC

The Employee's Provident Fund Organization,Sub-Regional Office,
No.101, 100 feet road, Cholan Nagar,
Olandaikeerapalayam, Puducherry-605 004. .. Respondents

PRAYER: Writ petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, directing the 1st respondent to dispose of the Application U/s. 16 (2) of the Employees' Provident Fund and Miscellaneous Provisions Act 1952 dated 16.9.2013 filed by the petitioner after giving opportunity to it to state its case and produce documents in support of the same and the respondents 2 to 4 to stop the recovery action initiated by them including E-Auction Sale under the said Act till then.

For Petitioner : Mr.T.M.Naveen

For Respondent 1 : Served-No appearance

For Respondent 2 to 4 : Mr.K.Srinivasa Murthy

In W.P.No.7418 of 2014

The Puducherry Co-Operative Sugar Mills Ltd.,P.315
Rep. By its Managing Director,
Lingareddipalayam, Katterikuppam Post,
Puducherry-605 503.

.. Petitioner



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Vs.

WEB COPY

- 1.The Employee's Provident Fund Organization,
Rep. By its Regional Provident Fund Commissioner-II/OIC
Sub-Regional Office,
No.101, 100 feet road, Cholan Nagar,
Puducherry-605 004.
- 2.The Enforcement Officer
The Employee's Provident Fund Organization,Sub-Regional Office,
No.101, 100 feet road, Cholan Nagar,
Olandaikeerapalayam, Puducherry-605 004.
- 3.The Recovery Officer/APFC
The Employee's Provident Fund Organization,Sub-Regional Office,
No.101, 100 feet road, Cholan Nagar,
Olandaikeerapalayam, Puducherry-605 004.
- 4.The Union of India
Rep by the Secretary to Government,
Ministry of Labour and Employment,
Government of India,
Shra, Sakthi Bhawan,
Rafimarg, New Delhi-110 001.

.. Respondents

PRAYER: Writ petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, directing the 1st respondent to dispose of the petition bearing No. PCSM/Accts (B)/24-25/2013-14 dt 24.2.2014 filed by the petitioner exercise the powers conferred u/s 8-E of the Employees Provident Fund and Miscellaneous Provisions Act 1952 on him grant time to the petitioner to pay the EPF contributions by way of releasing the 49,124



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Sugar bags attached by 2nd respondent permitting the petitioner to sell the same and pay 50% of the EPF arrears i.e. Rs. 2,50,00,000/- immediately and pay the balance amount by selling the Sugar to be manufactured by it in the months of March and April 2014 and the 3rd respondent to stay the recovery proceedings including E-Auction Sale till the expiry of the said time.

For Petitioner	: Mr.T.M.Naveen
For Respondent 1 to 3	: Mr.K.Srinivasa Murthy
For Respondent 4	: No appearance

COMMON ORDER

When the matter is taken up for hearing, it is informed by the learned counsel for the petitioner that they have remitted the EPF dues and statement to that effect has been filed. Therefore the grievance ventilated in this writ petition has already been redressed.

2. Taking note of the above, these write petitions are dismissed as infructuous. Consequently, the connected miscellaneous petitions are closed.

No costs.

11.06.2024

Index : Yes / No
Speaking/Non-speaking Order
nr



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To

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P.T.ASHA, J.

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