



WEB COPY



W.P.No.16019 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.16019 of 2024
and W.M.P.No.17500 of 2024

M/s.Civil Engineering Enterprises,
22A, K.K.Salai,
Kaveri Rangan Nagar,
Saligiramam, Chennai – 600 093.
Rep. by its Proprietor

...

Petitioner

/vs/

The Assistant Provident Fund commissioner (C & R),
Employee's Provident Fund Organisation,
Regional Office, Chennai South,
37, Royapattah High Road,
Chennai – 600 014.

...

Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of certiorari to call for the records of the impugned order passed by the respondent herein in No.CHN-2/DIV 21/TN/39855/Enf/2024, dated 09.01.2024 and quash the same.

For Petitioner ... Mr.M.Elanchezian

For Respondent ... Mr.R.Vishnu



W.P.No.16019 of 2024

ORDER

This writ petition has been filed challenging the impugned order passed by the respondent herein in No.CHN-2/DIV 21/TN/39855/Enf/2024, dated 09.01.2024.

2. Mr.M.Elanchezhian, the learned counsel for the petitioner, submitted that the impugned order has been passed without properly identifying the petitioner's contribution towards Employees Provident Fund.

3. Mr.R.Vishnu, the learned counsel for the respondent, submitted that the rightful course open to the petitioner is by way of preferring any appeal under 7(i) of the Employee's Provident Funds and Miscellaneous Provisions Act, 1952 and not by invoking the jurisdiction of this Court under Article 226 of the Constitution of India.

4. However it appears that the petitioner themselves have volunteered to make payment on the date when the impugned order was passed. In such a case, it is open to the petitioner to renew the same request and make payments as required.



W.P.No.16019 of 2024

WEB COPY 5. At this juncture, the learned counsel for the petitioner submitted that he may be permitted to make payments in instalments.

6. The said request may be made before the respondent authority and the respondent authority can consider the financial conditions of the petitioner's establishment and pass orders by appreciating the situation in hand.

7. With the above observation, this Writ Petition is disposed. No costs. Connected miscellaneous petition is closed.

20.09.2024

Index: Yes / No
Speaking order / Non-speaking order
bkn



WEB COPY



W.P.No.16019 of 2024

R.N.MANJULA ,J.

bkn

To:
The Assistant Provident Fund commissioner (C & R),
Employee's Provident Fund Organisation,
Regional Office, Chennai South,
37, Royapattah High Road,
Chennai – 600 014.

W.P.No.16019 of 2024

20.09.2024