



WEB COPY



W.P.No.25834 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P.No.25834 of 2024

and

W.M.P.Nos.28202 of 2024

M/s.Soundararaja Mills Ltd.,
S540, Kamarajar Salai,
Nedungadu,
Karaikal,
Puducherry – 609 603.
Rep. by its General Manager

... Petitioner

Vs.

Regional PF Commissioner – II,
Employees Provident Fund Organisation
Regional Office,
No.101, 100 Feet Road, Chola Nagar,
Olandaikeerapalayam,
Puducherry – 605 004.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of mandamus directing the respondent to permit the petitioner to remit a sum of Rs.18,99,935/- payable in terms of Section 7Q of the EPF Act in proceedings No.TN/RO/PDY/66/PDC/7Q/INTEREST/2024 dated 28.06.2024 in 15 equated monthly instalments commencing from November 2024.



WEB COPY



W.P.No.25834 of 2024

For Petitioner : Mr.Anand Gopalan
for M/s.Agam Legal

For Respondent : Mr.P.K.Panneer Selvam

ORDER

Heard Mr.Anand Gopalan, the learned counsel for the Petitioner and Mr.P.K.Panneer Selvam, the learned counsel for the respondent.

2. This Writ Petition is filed for the issuance of a Writ of mandamus directing the respondent to permit the petitioner to remit a sum of Rs.18,99,935/- payable in terms of Section 7Q of the EPF Act in proceedings No.TN/RO/PDY/66/PDC/7Q/INTEREST/2024 dated 28.06.2024 in 15 equated monthly instalments commencing from November 2024.

3. Attention of the Court was drawn to the earlier orders passed by this Court to make payments in instalments. The records would show that the impugned amount has been assessed upon the petitioner towards interest and it is submitted that the petitioner does not have the financial capacity to make a hefty payment of Rs.18,99,935 /- in one go.

4. Considering the facts and circumstances of the case, I feel the



W.P.No.25834 of 2024

respondent can exercise some discretion to device a practical way of recovering the amount by allowing the petitioner to make payment in instalments. However, while passing any orders in this regard as requested, it is the discretion of the respondent to fix the quantum payable in each instalments.

5. The petitioner is at liberty to give a representation to the respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondent shall consider and pass appropriate orders. It is needless to state that in the event of any default on the part of the petitioner in paying the instalments, the respondent shall take a recourse to the regular process by which recovery is done.

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

05.09.2024

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order
bkn

R.N.MANJULA, J.



WEB COPY



W.P.No.25834 of 2024

bkn

To:

Regional PF Commissioner – II,
Employees Provident Fund Organisation
Regional Office,
No.101, 100 Feet Road, Chola Nagar,
Olandaikeerapalayam,
Puducherry – 605 004.

W.P.No.25834 of 2024

05.09.2024