



W.P.(MD).No.2318 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2318 of 2024
and WMP(MD) No.2337 of 2024

M/s.Sri Saravana Mills Pvt Limited,
Batlagundu, Dindigul District.
Rep.by its Director

... Petitioner

Vs

The Regional Provident Fund Commissioner-II,
EPF Organisation,
District Office, Bava Lodge Building,
Dindigul 624 003.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to permit the petitioner to refund a sum of Rs. 53,17,547 /- to the respondent in 50 equal monthly instalments.

For Petitioner : Mr.M. Elanchezhian

For Respondent : Mr.R.Ravikumar
Standing Counsel



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ORDER

The present writ petition has been filed seeking a direction to the respondents to permit the petitioner to refund a sum of Rs. 53,17,547 /- to the respondent in 50 equal monthly instalments.

2.By consent of both parties and considering the limited relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.Heard, the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent. Perused the materials on record.

4.The petitioner received a letter, dated 15.12.2022 from the respondent stating that considering the strength of the petitioner's mill being more than 1000, the petitioner was directed to refund the employers' share of 12% contributions, for which, the petitioner duly replied on 19.12.2022. That apart, the petitioner has requested the respondent to grant instalment facility for



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payment of Rs.53,17,547/- in 50 equal monthly instalments. However, the same was not considered. Hence, this petition came to be filed.

5.Considering the nature of relief sought for by the petitioner and observing that it is the mandatory duty on the part of the petitioner to make payment of statutory dues, the respondent is directed to permit the petitioner to refund the entire amount of Rs.53,17,547/- to the respondent in 20 equal monthly instalments. The first instalment shall commence from the month of March, 2024 and every instalment shall be paid on or before 5th of every English calendar month.

6.With the above direction, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

06.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



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L.VICTORIA GOWRI, J.

PNM

**ORDER IN
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