



WP(MD)No.3594 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.3594 of 2022
and
WMP(MD)Nos.3139 and 3140 of 2022**

M/s.New Security Force,
12, B.S.S.Complex, Trunk Road,
Rabi Nagar, Thiruvanaikaval,
Trichy – 620 005,
Through The Managing Director

... Petitioner

Vs

The Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office,
No.18, Sree Complex,
Madurai Road,
Trichy District – 625 008.

...Respondent

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus to call for the records pertaining in No.TN/RO-TRY/PDC/C-11/44863/7QPROC/2017, dated 05.04.2018 claiming interest amount for the period from 04/2015 to 03/217 to the tune of Rs.3,74,851/- on the file of the respondent herein, quash the same and direct the respondent to permit the petitioner to remit the EPF interest amount claimed for the period from 04/2015 to 03/2017 to the tune of Rs.3,74,851/- in Thirty Six Equal monthly installments.



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For Petitioner : Mr.C.Karthikeyan

For Respondents : Mr.I.Robert Chandra Kumar

ORDER

This writ petition has been filed seeking indulgence of this Court to permit the petitioner to pay the interest amount levied by respondent under Section 7Q of the Employees Provident Fund and Miscellaneous Provident Funds Act in 36 equal monthly installments.

2.The learned Counsel for the petitioner admits that there is a delay in payment of EPF contribution by the petitioner and if there is any delay in payment of EPF contribution, the PF authority is entitled to recover the amount with interest as per Section 7 Q of the Act. The learned Counsel for the petitioner prayed that since the petitioner company faced financial loss, the petitioner may be permitted to pay the said interest amount in 36 equal monthly installments.

3.Considering the submission of the learned Counsel for petitioner, though the petitioner prayed to pay the interest amount in 36



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installments, since the order has been passed on 05.04.2018, the petitioner is permitted to pay the amount mentioned in the impugned order in six (6) equal monthly installments commencing from next month. If the petitioner fails to make this payment, the authority is at liberty to initiate proceedings under Section 8 F of the Act. No costs. Consequently connected miscellaneous petitions are closed.

21.10.2024

Internet : Yes / No

Index : Yes / No

DSK

To

The Assistant Provident Fund Commissioner,
No.18, Madurai Road,
Trichy – 620 008.



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B.PUGALENDHI.J.,

DSK

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