



W.P.(MD).No.12529 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.12529 of 2024
and WMP(MD) No.11190 of 2024

M/s. Aruppukkottai Municipality,
Rep. By its Commissioner,
Aruppukkottai – 626 101,
Virudhunagar District.

... Petitioner

Vs

1. The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office, Lady Doad College Road,
Chokkikulam, Madurai - 625 002.
2. The Recovery Officer,
Employees Provident Fund Organization,
Regional Office, Lady Doad College Road,
Chokkikulam, Madurai - 625 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records in the Notice of Demand to the Defaulter in Form No.E.P.F. C.P. 1, dated 15-04-2024, on the file of 2nd respondent in pursuant of the proceeding in Diary No.



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629/2023 (TN/RO/MD/MDU/PDC/M-06/91184/14B/2023), dated 16.11.2023,
on the file of the 1st respondent and quash the same.

For Petitioner : Mr. G.Arunachalam

For Respondents : Mr.K.Muralisankar
Standing Counsel

ORDER

Heard Mr.G.Arunacalam, learned counsel for the petitioner and
Mr.K.Muralisankar, learned Standing Counsel, for the respondents.

2.The petitioner, who is aggrieved due to the impugned Notice of
Demand to the Defaulter in Form No.E.P.F. C.P. 1, dated 15-04-2024, on the
file of 2nd respondent in pursuant of the proceeding in Diary No. 629/2023
(TN/RO/MD/MDU/PDC/M-06/91184/14B/2023), dated 16.11.2023, on the file
of the 1st respondent.

3. By consent of both parties, this Writ Petition is taken up for final
disposal at the stage of admission itself.

4. The petitioner has filed this writ petition without resorting to
work out the statutory remedy contemplated under Employees' Provident Funds



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and Miscellaneous Provisions Act, 1952. However, the learned counsel for the petitioner submitted that the petitioner is not able to work out the appeal remedy, due to lapse of limitation.

5. In the interest of justice, this Court can only observe that the petitioner can take an opportunity to file an appeal before the concerned Forum, within a period of two weeks from the date of receipt of copy of this order along with a petition to condone the delay in filing the appeal and work out his remedy there.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, the miscellaneous petition is closed.

13.06.2024

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



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To

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R.N.MANJULA, J.

PNM

**ORDER IN
W.P.(MD).No.12529 of 2024
and WMP(MD) No.11190 of 2024**

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