



WP(MD) Nos.13242 to 13244 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) Nos.13242 to 13244 of 2024
and
W.M.P(MD)Nos.11716, 11717, 11745, 11747,
11720 & 11721 of 2024

W.P.(MD) No.13242 of 2024

M/s. S.S.K. Polytechnic College,
Represented by its Treasurer S.Prabhakaran,
Ammapettai Village,
Srirangam Taluk,
Poolangulathupatti,
Trichy - 620 009.

... Petitioner

Vs.

Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office, P.B. No.588,
Sree Complex, No.18, Madurai Road,
Trichy - 620 008.

... Respondent



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for records of order Ref.No.CB/TRY/76814/PDC/7Q/513/2024 dated 25.01.2024 passed by the respondent and quash the same and directing the respondent to accept the remaining interest amount a sum of Rs.13,75,624/- (Rupees Thirteen Lakhs Seventy Five Thousand Six Hundred and Twenty Four only) in 24 equal monthly installments.

For Petitioner : Mr.P.Thangaraju

For Respondent : Mr.N.Dilipkumar

Standing Counsel

W.P.(MD) No.13243 of 2024

M/s.Shivani College of Engineering and Technology,
Rep. by its Treasurer, Mr.S.Prabhakaran,
Navalur Kuttapattu Village,
Srirangam Taluk,
Trichy - 620 009.

... Petitioner

Vs.



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Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office, P.B. No.588,
Sree Complex, No.18, Madurai Road,
Trichy - 620 008.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for records of order Ref. No.CB/TRY/76815/PDC/7Q/513/2024 dated 22.01.2024 passed by the respondent and quash the same and directing the respondent to accept the remaining interest amount a sum of Rs.17,23,234/- (Rupees Seventeen Lakhs Twenty Three Thousand Two Hundred and Thirty Four only) in 24 equal monthly installments.

For Petitioner : Mr.P.Thangaraju

For Respondent : Mr.N.Dilipkumar

Standing Counsel



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W.P.(MD) No.13244 of 2024

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M/s.Shivani College of Engineering and Technology,
Rep. by its Treasurer, Mr.S.Prabhakaran,
Trichy-Dindigul NH Road,
Navalur Kuttapattu Village,
Trichy - 620 009. ... Petitioner

Vs.

Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office, P.B. No.588,
Sree Complex, No.18, Madurai Road,
Trichy - 620 008. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for records of order Ref. No.CB/TRY/76812/PDC/7Q/513/2024 dated 22.01.2024 passed by the respondent and quash the same and directing the respondent to accept the remaining interest amount a sum of Rs.12,02,845/- (Rupees Twelve Lakhs Two Thousand Eight Hundred and Forty Five Only) in 24 equal monthly installments.



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For Petitioner : Mr.P.Thangaraju

For Respondent : Mr.N.Dilipkumar

Standing Counsel

COMMON ORDER

Heard Mr.P.Thangaraju, learned counsel for the petitioner and Mr.N.Dilipkumar, learned Government Advocate appearing for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner institution has filed these writ petitions seeking for a Writ of Certiorarified Mandamus to quash the impugned orders, dated 25.01.2024 and 22.01.2024 passed by the respondent and to direct the respondent to accept the remaining interest amount in 24 equal monthly installments.



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4. Even though the petitioner institution challenges the impugned orders, their ultimate prayer is to allow them to pay the amount determined as shown in the order of demand to be paid in instalments.

5. The rightful authority, who can entertain the request of the petitioner to allow them to pay in instalments only is the statutory authorities as shown in the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Rules. The petitioner institution accepts to pay the amount demanded through the impugned order, however in instalments.

6. The respondent shall consider the same in the light of the earlier indulgence shown by this Court in allowing similarly placed persons to make payment in instalments. The petitioner is at liberty to make a representation by citing the earlier judicial pronouncements made in this regard within a week and on receipt of the same, the respondent shall consider the same and pass



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appropriate orders by considering the financial constraints and other relevant situation of the petitioner and pass appropriate orders without resorting to any coercive action before disposing the same.

7. With the above observation, these writ petitions are **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

21.06.2024

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

RM



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To
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Employees Provident Fund Organisation,
Regional Office, P.B. No.588,
Sree Complex, No.18, Madurai Road,
Trichy - 620 008.



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R.N.MANJULA, J.

RM

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