



WP(MD)No.20169 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.20169 of 2018

and

WMP(MD)Nos.17925 to 17927 of 2018

M/s.Thiru Meenakshi Fire Works,
Rep. by its Partner
S.K.Murugan

.. Petitioner

v.

1.The Assistant Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Regional Office,
Lady Doak College Road,
Chokkikulam, Madurai - 2.

2.The Recovery Officer,
Employees Provident Fund Organization,
Regional Office,
Lady Doak College Road,
Chokkikulam, Madurai - 2.

3.The Branch Manager,
Punjab National Bank,
Gandhi Nagar Branch,
Sivakasi,
Virudhunagar District.

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorari calling for the records relating to the proceedings of the first respondent in TN/RO/MD/MDU/58948/Enf''b''/8F/M-09/2017, dated 26.10.2017 and quash the same.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.V.S.Karthi
for R.1, R.2

Mr.P.Sivachandran for R.3

ORDER

This writ petition is filed as against the recovery proceedings initiated by the PF Authority u/s.8F of the EPF Act. The impugned order was passed as a consequential action, pursuant to the order passed by the PF Authority u/s.7A of the EPF Act.



2. According to the petitioner, as against the amount arrived by the PF Authority u/s.7A of the EPF Act, the petitioner has already filed an appeal before the Tribunal in EPFA.No.359/2017. Without awaiting for the outcome of the appeal, the PF Authorities have initiated the recovery proceedings.

3. Learned Counsel for the petitioner submitted that this Court, while entertaining the writ petition, has granted an interim order of stay. Therefore, the order passed by the PF Authority u/s.8F of the EPF Act has not been implemented. He further submitted that the Tribunal has reserved the appeal on 22.07.2022 and that the appeal is posted for orders on 21.11.2024.

4. In view of the above submission, this writ petition is disposed of, with a direction to the EPF Appellate Tribunal, Chennai, to conclude the proceedings in EPFA No.359/2017 on 21.11.2024, without any further delay. The respondents 1 & 2 / PF Authorities shall proceed with the further course of action, based on the outcome of EPFA.No.359/2017.



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There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No **23.10.2024**
NCC : Yes / No
Internet : Yes
gk

Note:

Mark a copy of this order to
The Employees Provident Fund Appellate Tribunal,
Chennai.



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B.PUGALENDHI, J.

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