



W.P.No.2613 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.2613 of 2025

and

WMP.Nos.2921, 2922 & 2923 of 2025

M/s.Parveen Travels (P) Ltd
AB Towers
No.148, Perambur Barracks Road
Purasawalkam
Chennai 600 007
and is represented by
its Managing Director
Mr.Afzal S/o. Allah Baksh

... Petitioner

Vs.

The Regional Provident Fund Commissioner -I
Employees' Provident Fund Organization
Regional Office
Chennai (North)
Royapettah High Road
Chennai 600 014.

....Respondent



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in TN/CHN-I/Recy/TNMAS0050550000/RegI/2024 dated 10.12.2024 and (i) To quash the show cause notice of the respondent dated 10.12.2024 and (ii) To de-freeze the Bank Account of the petitioner held with Equitas Small Finance Bank Ltd., Parrys Branch and Purasaiwakkam Branch bearing Account No.viz., 200000039062 with immediate effect and pass further or other orders as may be necessary and deem fit in the circumstances of the case and render justice (iii) To direct the respondent to receive the balance dues of Rs.2,08,80,646/- (Rupees Two Crores Eight Lakhs Eighty Thousand Six Hundred and Forty Six Only) in further 24 in number of Equal monthly installments and thus render justice.

For Petitioner : Mr.R.Rangesh

For Respondent : Mr.K.Venkatesan
(EPFO)



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ORDER

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This Writ Petition is filed challenging the order dated 10.12.2024 which is in the nature of show cause notice directing the petitioner to show cause why further action should not be taken even while freezing the Bank Account of the petitioner.

2. When the matter came up for hearing, the learned counsel for the petitioner submitted that when the employees have made a request, the respondent organization has agreed to lift the order of freezing the account and the petitioner only wants to pay the amount in monthly installments. The learned counsel submitted that the petitioner concern went into some financial difficulty and now it is in the process of recovery. Huge number of employees are working and several buses are being plied. When the concern is resurrecting itself, interest of justice would demand that the installments be granted so that the petitioner organization would revive itself.



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3. The prayer is opposed by the learned counsel appearing on behalf of the respondent organization and submit that earlier also by an order dated 29.10.2024, the Court has shown indulgence by directing them to deposit 25% with reference to the other dues. Apart from the amount mentioned in the show cause notice there are other dues also. Therefore, when the petitioner concern is a chronic defaulter, even if this Court is willing to extend time very short time may be extended.

4. Considering the overall facts and circumstances of the case and the difficulty pleaded on behalf of the petitioner Management, I am of the view that installments can be granted to pay the amount mentioned in the show cause notice dated 10.12.2024 being a sum of Rs.2,36,78,046/-. Even though the learned counsel for the petitioner would request for 24 installments, I am of the view that 18 equal monthly installments can be granted. The first monthly installment shall start from the month of February and on or before 15th of every month, the amount shall be paid. It is made clear that no further extension of time will be given and if the petitioner fails



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to pay even a single monthly installment thereafter, the respondent will be entitled to proceed further.

5. In view of the above, so long as the petitioner concern pay monthly installments, let not any coercive action including freezing of the bank account etc., be taken in respect of the said amount mentioned in the above said show cause notice dated 10.12.2024. The learned counsel prays today that since the petitioner has to pay the salary, the bank account be released. It is made clear that by 15th February, if the first installment is not paid again, it will be open for the organization to attach the bank account. The prohibitory orders and freezing of the bank account concerning the amount relating to the present showcase notice shall stand lifted.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

31.01.2025

Neutral Citation : No
dna

Note: Issue order copy on 03.02.2025

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To

The Regional Provident Fund Commissioner -I
Employees' Provident Fund Organization
Regional Office
Chennai (North)
Royapettah High Road
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D.BHARATHA CHAKRAVARTHY, J.

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