



W.P.No.2442 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.2442 of 2025

and

W.M.P.Nos.2753 & 2755 of 2025

Vaishnavi Motors,
Represented by its Proprietor,
B.Jagadeesan,
Having address at
Old No.29/1, New No.61, Bazullah Road,
T Nagar, Chennai – 600 017.

... Petitioner

Vs.

1.The Assistant Provident Fund Commissioner
& Recovery Officer, Chennai – 1 North,
Employees Provident Fund Organization,
Ministry of Labour and Employment,
Government of India, Bhavishya Nidhi Bhawan,
No.37, Royapettah High Road, Chennai – 600 014.

2.The Federal Bank Ltd.,
Represented by its Branch Manager,
No.47, Gangadeeswarar Koil Street,
Purasawalkam, Chennai – 600 084.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records and to quash the impugned order dated 21.11.2024 bearing TN/CHN/D24/PDC/1592545/BF/REGIONAL/2023 and quash the same as



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being illegal, arbitrary, without jurisdiction and contrary to the provisions of law and consequently, directing the 1st respondent to revoke the attachment order.

For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.K.Venkatesan
Standing Counsel [R1]
Mr.E.K.Kumaresan [R2]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Certiorarified Mandamus, to call for the records and to quash the impugned order dated 21.11.2024 bearing TN/CHN/D24/PDC/1592545/BF/REGIONAL/2023 and quash the same as being illegal, arbitrary, without jurisdiction and contrary to the provisions of law and consequently, directing the 1st respondent to revoke the attachment order.

2. Mr.K.Venkatesan, learned Standing Counsel, takes notice on behalf of the 1st respondent and Mr.E.K.Kumaresan, learned counsel, takes notice on behalf of the 2nd respondent. In view of the consent expressed by the learned counsel appearing for the parties, this Writ Petition is taken up



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for final disposal at the stage of admission itself.

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3. The case of the petitioner is that, it is engaged in the business of Eicher Motor dealership and operation and covered under the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (in short 'EPF & MP Act'). Whiles, as against the petitioner establishment, the EPF authorities have passed order u/s 7A of the EPF Act and for non-compliance of the same, the consequential order u/s 14B and 7Q of the EPF Act has also been passed. Since the petitioner has not complied with the same, the 1st respondent has passed the impugned order u/s 8F of the Act, directing the petitioner to pay a sum of Rs.9,37,451/- to the credit of Regional Provident Fund Commissioner, Chennai – 14. Challenging the impugned order, the present writ petition has been filed before this Court.

4. Though very many grounds have been raised in this writ petition, at the time of arguments, learned counsel for the petitioner restricted the prayer and sought permission of this Court to deposit 50% of the impugned demand amount i.e., Rs.9,37,451, within a period of two weeks and upon receipt of the same, this Court may issue a direction to the 1st respondent to furnish a copy of the orders passed u/s 7A, 14B and 7Q of the Act, enabling



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the petitioner either to comply with the impugned order or to challenge the impugned order in the manner known to law. Accordingly, he prays for appropriate orders.

5. In view of the limited request sought for by the learned counsel appearing for the petitioner, this Court, without interfering with the impugned order, permits the petitioner to deposit 50% of the demand amount of Rs.9,37,451/- before the Regional Provident Fund Commissioner, Chennai – 14, within a period of two (2) weeks from the date of receipt of a copy of this order. Upon receipt of the same, the 1st respondent is directed to furnish a copy of the orders passed u/s 7A, 14B and 7Q of the Act, enabling the petitioner either to comply with the impugned order or to workout the remedy in the manner known to law.

6. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected writ miscellaneous petitions are closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

The Assistant Provident Fund Commissioner
& Recovery Officer, Chennai – 1 North,
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Ministry of Labour and Employment,
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Bhavishya Nidhi Bhawan,
No.37, Royapettah High Road,
Chennai – 600 014.



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M.DHANDAPANI, J.

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