



WEB COPY



W.P.No.3706 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3706 of 2025

And

W.M.P.Nos.4090 and 4091 of 2025

Social Audit Society of Tamil Nadu,
Represented by its Director,
Panagal Building,
No.1, Jeenis Road, Saidapet,
Chennai – 600 015.

... Petitioner

Vs.

1.Regional Provident Fund Commissioner – I,
Regional Office, Chennai (South),
No.37, Royapettah High Road,
Regional Office, Chennai (South),
Chennai – 600 014.

2.The Enforcement Officer,
Employees Provident Fund Organisation,
No.37, Royapettah High Road,
Regional Office, Chennai (South),
Chennai – 600 014.

3.The Recovery Officer,
Employees Provident Fund Organisation,
No.37, Royapettah High Road,
Regional Office, Chennai (South),
Chennai – 600 014.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to



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issue a Writ of Certiorarified Mandamus to direct the first respondent to consider the representation of the petitioner dated 06.05.2024 and to call for the records from the files of the first respondent and to quash the order vide No.CHN-South/1343821/Enf/Regl/Div-15/2023 dated 12.01.2024 under Section 7A as arbitrary and in violation of principles of natural justice and in consequence set aside the order passed by second respondent vide TN/RO CHN/TNMA5134821000/EO/Div-15/2024 dated 23.09.2024 and to quash the first respondent's order rejecting to provide details for the breakup vide TNMA5 134821000/D-15/COMP./2024 dated 25.11.2024 and the consequential prohibitory order passed by the third respondent through the office of the second respondent vide TN/RO/CHN/South/1343821/Recovery/Div-15/CP3/2024 dated 04.12.2024.

For Petitioner : Mr.Leeban Arivalagan
For Respondents : Mr.M.S.Viswanathan for P.F.

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to direct the first respondent to consider the representation of the petitioner dated 06.05.2024 and to call for the records from the files of the first respondent and to quash the order vide No.CHN-South/1343821/Enf/Regl/Div-15/2023 dated 12.01.2024 under Section 7A as arbitrary and in violation of principles of natural justice and in consequence set aside the order passed by



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second respondent vide TN/RO CHN/TNMA134821000/ EO/Div-15/2024 dated 23.09.2024 and to quash the first respondent's order rejecting to provide details for the breakup vide TNMA134821000/D-15/COMP./2024 dated 25.11.2024 and the consequential prohibitory order passed by the third respondent through the office of the second respondent vide TN/RO/CHN/South/1343821/Recovery/Div-15/CP3/2024 dated 04.12.2024.

2.The learned counsel appearing for the petitioner submitted that the Employees' Provident Fund Organisation initiated proceedings under Section 7A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 as if the petitioner not paid the provident fund contributions and the first respondent vide order dated 08.01.2024 directed the petitioner Management to make contribution to the tune of Rs.4,31,129/-.

3.The learned counsel appearing for the petitioner further submitted that prior to that the petitioner had paid a sum of Rs.2,61,980/- and another demand draft for a sum of Rs.30,000/-, however, all those payments were not considered. This Court may permit the petitioner to make contribution of the amount of



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Rs.4,31,129/- without any interest or damages and may issue direction to the second respondent to consider the previous payment made by the petitioner and to credit the same, if not credited, for future provident fund contribution for the employees.

4.The learned counsel appearing for the respondents raise no serious objection.

5.In view of the above, this Court, without interfering with the order impugned in this writ petition, permits the petitioner Management to make contribution of the amount of Rs.4,31,129/- without any interest or damages, within a period of three weeks from the date of receipt of a copy of this order, failing which, the respondents are at liberty to recover the amount from the petitioner as per the Act.

6.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

06.02.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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