



W.P. Nos.4561 & 4566 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 30.04.2025

PRESENT:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. Nos.4561 & 4566 of 2021

and

W.M.P. Nos.5187, 5189, 5190, 5192, 5193 & 5194 of 2021

M/s.Sai Supreme Holding Company Private Limited,
Represented by its Director,
“Sai Ramnath House”
RS No.15/13 & 15/15 Vazhudavar Road,
Kurumbat,
Puducherry – 605 009.

... Petitioner in both cases

Versus

1.Assistant PF Commissioner,
Employees Provident Fund Organization,
(Ministry of Labour & Employment, Government
of India),
No.101, 100 Feet Road, Cholan Nagar,
Puducherry – 605 004.

...first respondent in both cases

2.HDFC Bank,
Represented by its Branch Manager,
100 Feet Road Branch,
Puducherry – 605 005. ... second respondent in W.P.No.4561 of 2021

2.Yes Bank,
Main Branch,
Represented by its Branch Manager,
No.24, Ambalathadayar Madam Street,
Puducherry – 605 001. ... second respondent in W.P.No.4566 of 2021



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COMMON PRAYER in W.P.s:

To issue a Writ of Certiorarified Mandamus or any other writ, order or direction in the nature of a Writ of Certiorarified Mandamus calling for the records of the 1st Respondent dated 4.2.2021 bearing No.RO/PDY/Recovery/Div-2/PC-1550/CP-4/2020 and dated 8.2.2021 bearing No.RO/PDY/Recovery/Div-2/PC-1550/CP-4/2020 respectively, and all proceedings consequent thereto, and to quash the same as being illegal, arbitrary and without authority of law and consequently direct the 1st respondent not to deduct any amounts from the petitioner's Bank account with the 2nd respondent, and pass such further or other orders as this Court may deem fit and proper in the facts circumstances of the case.

PRAYER in W.M.P.Nos.5187 & 5192 of 2021:

To dispense with the production of the original impugned orders issued by the 1st respondent dated 4.2.2021 bearing No.RO/PDY/Recovery/Div-2/PC-1550/CP-4/2020 and dated 8.2.2021 bearing No.RO/PDY/Recovery/Div-2/PC-1550/CP-4/2020 to the 2nd respondent.

PRAYER in W.M.P.Nos.5189 & 5193 of 2021:

To grant an interim order of stay of the 1st respondent's impugned orders dated 4.2.2021 bearing No.RO/PDY/Recovery/Div-2/PC-1550/CP-4/2020 and dated 8.2.2021 bearing No.RO/PDY/Recovery/Div-2/PC-1550/CP-4/2020, all proceedings



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consequent or pursuant thereto, pending disposal of the above writ petitions.

PRAYER in W.M.P.Nos.5190 & 5194 of 2021:

To grant an order of interim direction, directing the 1st respondent not to deduct any amounts from the Petitioner's bank account with the 2nd respondent in furtherance of the impugned order dated 4.2.2021 bearing No.RO/PDY/Recovery/Div-2/PC-1550/CP-4/2020 and dated 8.2.2021 bearing No.RO/PDY/Recovery/Div-2/PC-1550/CP-4/2020, pending disposal of the above writ petitions.

APPEARANCE OF PARTIES:

For Petitioner : Mr. Arun Karthik Mohan,
Mr.Suhrith Parthasarathy, Advocates.

For Respondents : Mr. P.K. Panneer Selvam for R1.
Mr. C. Mohan, Ms. A. Remy Josephine
Mary for M/s.King & Partridge for R2
in both cases.

COMMON JUDGMENT

Heard.

2.The present writ petitions have been filed by the company viz.,M/s.Sai Supreme Holding Company Private Limited, challenging the



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orders dated 04.02.2021 & 08.02.2021 directing the company to pay a sum of Rs.40,28,860/- to the credit of Regional Provident Fund Commissioner, Puducherry through a Crossed Demand draft.

3. When these matters came up before this Court on 25.02.2021 for admission, this Court had granted an order of interim stay and had directed the second respondents herein to permit the petitioner to operate their Bank accounts as usual and had issued notice to the respondents. Subsequently, the matter came up before this Court on 24.04.2025 and the learned counsel for the respondent has sought time to file a memo stating that as per the impugned order, the amount has already been recovered and again, when the matter came up on 28.04.2025, the learned counsel for the first respondent has filed a memo and copy of the same has been served to the learned counsel for the petitioner and at first, he wants this Court to dictate that this writ petition is allowed and subsequently, submitted that this writ petition has to be closed. The said memo is extracted hereunder;



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“The 2nd Respondent above named submits as follows:-

1.The above writ petitions Nos.4561 of 2021 and 4566 of 2021 are filed assailing the section 8F Prohibitory orders dated 4.2.2021 bearing number RO/PDY/Recovery/div-2/PC-1550/CP-4/2020 and Order dated 8.2.21 bearing No.RO/PDY/Recovery/DIV-2/PC-1550/CP-4/2020 for Rs.40,28,860/- passed by 1st Respondent as against the Pf dues of M/s.Sai Supreme Textiles Pvt Ltd

2.It is submitted that the amount involved in the above said Prohibitory orders for the period 07/2017 to 07/2019 has already been recovered by the 1st Respondent, and as such nothing survives to adjudicate in the instant writ Petitions.

It is prayed that the memo may be taken on file of this Honourable Court and dismiss the writ Petition Nos.4561 of 2021 and 4566 of 2021 and thus render justice.”

4.In view of the memo filed by the first respondent stating that the amounts sought to be recovered have been realised, and in view of the statement made by the learned counsel for the petitioner disclaiming connection with the PAN number mentioned in the impugned notice, this writ petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petitions, if any, are closed. It is made clear that if any future claim is made against the petitioner based



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on the impugned notice, it will be open to the petitioner to seek appropriate remedy in accordance with law.

30.04.2025

ay

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation : Yes / No

DR. A.D. MARIA CLETE, J

ay

To

Assistant PF Commissioner,
Employees Provident Fund Organization,
(Ministry of Labour & Employment, Government
of India),
No.101, 100 Feet Road, Cholan Nagar,
Puducherry – 605 004.

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