



W.P.No.6443 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 24.02.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.6443 of 2025

Integra Software Services (Pvt). Limited,
Rep.by its Authorized Signatory,
Ms.Archana Dhinakaran,
Corporate Head Quarters,
100 Feet Road (ECR), Pakkamudaiyanpet,
Pondicherry-605 088.

...Petitioner

Vs.

Regional Provident Fund Commissioner-II,
Employees' Provident Fund Organization,
Sub-Regional Officer,
No.101, 100 Feet Road, Cholan Nagar,
Olandai Keerapalayam,
Puducherry.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to refund a sum of Rs.32,33,585/- being the amount deposited on 17.04.2013 by the petitioner in A.T.A.No.204(13) 2013 and renumbered as EPFA.No.248 of 2017 within a time frame fixed by this Court.

For Petitioner : Mr.N.Kavitha Rameshwar



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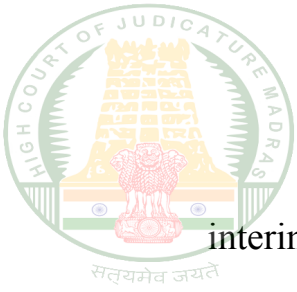
For Respondents : Mr.P.K.Panneerselvam

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ORDER

This Writ petition has been filed seeking for a direction to the respondent to refund a sum of Rs.32,33,585/- deposited by the petitioner on 17.04.2013 in A.T.A.No.204(13) 2013, which was renumbered as EPFA.No.248 of 2017 within a time frame fixed by this Court.

2. The learned counsel appearing for the petitioner submits that the respondent initiated the proceedings under Section 7A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 against the petitioner for payment of dues towards EPF Accounts and thereafter, an order was passed by the respondent on 11.03.2013 under Section 7A of the said Act, wherein, the petitioner Company was directed to remit a sum of Rs.80,83,963/- to the EPF Accounts within a period of two weeks from the date of receipt of the order, against which, the petitioner Company preferred an appeal before the Employees' Provident Fund Appellate Tribunal, New Delhi, in A.T.A.No.204 (13) 2013 and the Appellate Tribunal has granted



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interim stay on 25.03.2013 on condition to deposit 40% of the assessed amount and the petitioner Company has also deposited 40% of the amount and thereafter, the appeal was transferred to the Central Government Industrial Tribunal cum Labour Court, Chennai and it was renumbered as E.P.F.A.No.248 of 2017. The said appeal was allowed in favour of the petitioner and directed the concerned Authority to return the amount to the petitioner. The petitioner has approached the respondent, but, it was found that the Employees' Provident Fund Organization is not holding the amount deposited by the petitioner and therefore, the petitioner has repeatedly made representations to the Registrar, Central Government Industrial Tribunal cum Labour Court, Delhi and the Registrar, Central Government Industrial Tribunal cum Labour Court, Chennai, however, the amount has not been refunded to the petitioner. Hence, this writ petition has been filed.

3. Per contra, the learned counsel appearing for the respondent that since the petitioner has deposited 40% of the assessed amount before the Employees Provident Fund Appellate Tribunal, New Delhi in A.T.A.No.204 (13) 2013, remedy available to the petitioner is only to make an appropriate application before the Appellate Tribunal, New Delhi and the amount is not



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lying with the respondent and therefore, the respondent has not considered the request made by the petitioner.

4. The learned counsel appearing for the petitioner submits that this Court may permit the petitioner to make an appropriate application before the Employees Provident Fund Appellate Tribunal, New Delhi in A.T.A.No.204 (13) 2013 and may issue a direction to the Appellate Tribunal to entertain the application and pass appropriate orders.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, permits the petitioner to make an appropriate application before the Employees Provident Fund Appellate Tribunal, New Delhi in A.T.A.No.204 (13) 2013 within a period of four weeks from the date of receipt of a copy of this order. On such application being filed by the petitioner, the Employees Provident Fund Appellate Tribunal, New Delhi, is directed to entertain the application and pass appropriate orders, in terms of the order passed in E.P.F.A.No.248 of 2017 by the Central Government Industrial Tribunal cum Labour Court, Chennai, within a period of eight



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weeks from the date of receipt of the application.

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6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

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ssb

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

To

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M.DHANDAPANI., J.

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