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W.P.No.6911 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.6911 of 2025

And

W.M.P.No.7617 of 2025

East Coast Constructions & Industries Ltd.,
Represented by Director
Mr.S.A.Mohamed Mohideen,
Buhari Building, 4th Floor,
Egmore, Chennai 600 006.

... Petitioner

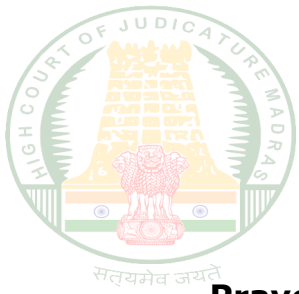
Vs.

1.The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
No.37, Royapettah High Road,
Chennai – 600 014.

2.Regional P.F.Commissioner I & Recovery Officer,
Employees Provident Fund Organisation,
Bhavishya Nidhi Bhavan,
Ministry of Labour and Employment,
No.37, Royapettah High Road,
Chennai – 600 014.

3.The Central Board of Trustees,
Employees Provident Fund Organisation,
14, Bhikajicama Place,
New Delhi – 110 066.

... Respondents



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Prayer:

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Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent herein to dispose of the Wavier Application of the petitioner dated 06.02.2024 within a time frame.

For Petitioner : Mr.P.J.Rishikesh
For Respondents : Mr.R.Vishnu for EPF

O R D E R

Mr.R.Vishnu, learned counsel takes notice on behalf of the respondents. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the third respondent to dispose of the waiver application of the petitioner dated 06.02.2024 within a time frame.

3.The learned counsel appearing for the petitioner submitted that the petitioner filed waiver application before the third respondent, however, the same has not yet been considered. The learned counsel



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further submitted that the petitioner is ready to pay a sum of Rs.10 Lakhs before the second respondent and furnish all the relevant documents supporting the waiver application and hence this Court may permit the petitioner to pay a sum of Rs.10 Lakhs before the second respondent and furnish all the relevant documents supporting the waiver application and issue direction to the second respondent to forward the same to the third respondent so as to enable the third respondent to pass appropriate orders and may direct the respondent to not to take any coercive steps as against the petitioner.

4.In view of the above, this Court directs the petitioner to pay a sum of Rs.10 Lakhs before the second respondent and furnish all the relevant documents supporting the waiver application for remaining amount, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such documents, the second respondent is directed to forward the same to the third respondent and the third respondent shall consider the same on merits and in accordance with law and pass appropriate orders within a period of five months thereafter. Till such time, the respondents are directed to not to take any coercive steps as against the petitioner.



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M.DHANDAPANI,J.
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5.The writ petition is disposed of. No costs. Consequently,
connected miscellaneous petition is closed.

27.02.2025

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

To

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