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W.P.No.7493 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7493 of 2025

And

W.M.P.No.8392 of 2025

M/s.Aryan Granites and Monuments Pvt. Ltd.,
No.14, Mangalam Village,
Maduranthagam Taluk,
Kanchipuram District 603 107.

... Petitioner

Vs.

The Regional Provident Fund Commissioner-II(C&R)
Employees Provident Fund Organisation,
Regional Office, No.3, Rajaji Salai,
Tambaram, Chennai – 600 045.

... Respondent

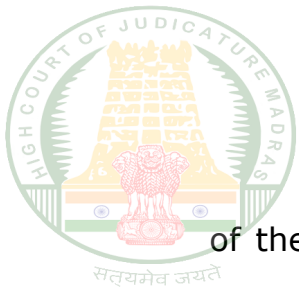
Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records and quash the prohibitory order No.TB/TAM/RO/RECY/CC II/527/60752/2024-25 dated 17.02.2025 passed by the respondent.

For Petitioner : Mr.M.Suresh
For Respondent : Mr.R.Thirunavukkarasu

O R D E R

Mr.R.Thirunavukkarasu, learned counsel takes notice on behalf



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of the respondent. 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 Certiorari to call for the records and quash the prohibitory order No.TB/TAM/RO/RECY/CC II/527/60752/2024-25 dated 17.02.2025 passed by the respondent.

3.The learned counsel appearing for the petitioner submitted that as against the petitioner establishment, the respondent passed order under Section 7A of the EPF & MP Act dated 01.10.2024 directing the petitioner to pay a sum of Rs.14,56,492/- and challenging the same, the petitioner filed appeal before the Central Government Industrial Tribunal cum Labour Court, Chennai, in EPFA No.39 of 2025. The respondent taking advantage of the fact that there is no Presiding Officer in the Tribunal is trying to recover the amount from the petitioner's Bank account and issued the impugned prohibitory order directing the HDFC Bank – Mumbai – Sandoz House to pay the amount by means of demand draft and in compliance of the same, the Bank has given a demand draft for the above said amount to the respondent.



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4.The learned counsel appearing for the petitioner submitted that this Court, without going into the merits of the case, may permit the petitioner to deposit 50% of Rs.14,56,492/- before the respondent and issue direction to the respondent to not to encash the demand draft and return the demand draft to the petitioner and issue direction to the Central Government Industrial Tribunal cum Labour Court, Chennai, to dispose of EPFA No.39 of 2025, within a reasonable time frame.

5.Considering the submissions made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, permits the petitioner to deposit a sum of Rs.7,28,246/- [50% of Rs.14,56,492/-] before the respondent on or before 05.03.2025. On receipt of the said amount, the respondent is directed to return the demand draft received from HDFC Bank – Mumbai – Sandoz House to the petitioner. This Court directs the Central Government Industrial Tribunal cum Labour Court, Chennai, to dispose of the appeal filed by the petitioner in EPFA No.39 of 2025, within a period of three months from the date of receipt of a copy of this order.



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M.DHANDAPANI,J.

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

04.03.2025

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Note: Issue order copy on 04.03.2025.

Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

The Regional Provident Fund Commissioner-II(C&R)
Employees Provident Fund Organisation,
Regional Office, No.3, Rajaji Salai,
Tambaram, Chennai – 600 045.

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