



W.P.Nos.5846 & 5847 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

CORAM

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

W.P.Nos.5846 & 5847 of 2015

and

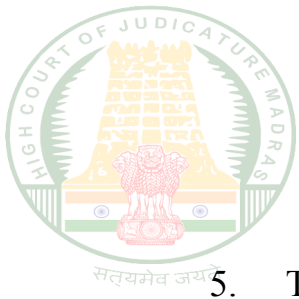
MP.No.1 of 2015 (2 Nos.)

The Puducherry Co-operative Sugar Mills Ltd. P.315,
Rep. by its Managing Director,
Lingareddipalayam, Katterikuppam Post,
Puducherry – 605 503.

...Petitioner in both W.P's.

Vs.

1. Union of India,
Rep. by the Under Secretary to Government,
Ministry of Labour & Employment,
Government of India, Shram Shakthi Bhawan,
Rafimarg, New Delhi – 110 001.
2. The Regional Provident Fund Commissioner-II/OIC,
Employees Provident Fund Organisation, Sub-Regional Office,
No.101, 100 ft. Road, Cholan Nagar,
Olandaikeerapalayam, Puducherry – 605 004.
3. The Assistant Provident Fund Commissioner/Recovery Officer,
Employees Provident Fund Organisation, Sub-Regional Office,
No.101, 100 ft. Road, Cholan Nagar,
Olandaikeerapalayam, Puducherry – 605 004.
4. The Enforcement Officer,
Employees Provident Fund Organisation, Sub-Regional Office,
No.101, 100 ft. Road, Cholan Nagar,
Olandaikeerapalayam, Puducherry – 605 004.



W.P.Nos.5846 & 5847 of 2015

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5. The Sub-Divisional Magistrate (South),

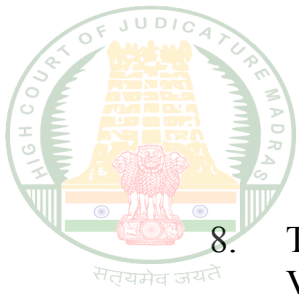
Villianur,

Puducherry – 605 110.

...Respondents in W.P.No.5846 of 2015

Vs.

1. The Regional Provident Fund Commissioner-II/OIC,
Employees Provident Fund Organisation, Sub-Regional Office,
No.101, 100 ft. Road, Cholan Nagar,
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No.101, 100 ft. Road, Cholan Nagar,
Olandaikeerapalayam, Puducherry – 605 004.
4. The Pondicherry State Co-op. Bank Ltd.,
Rep. by its Manager, Main Branch,
204, East Coast Road, Olandaikeerapalayam,
Puducherry – 605 004.
5. The Pondicherry State Co-op. Bank Ltd.,
Rep. by its Manager,
Lingareddipalayam, Puducherry – 605 004.
6. State Bank of India,
Rep. by its Asst. General Manager,
15, Rue Suffren, Puducherry – 605 001.
7. Indian Bank,
Rep. by its Manager,
Katterikuppam, Puducherry.



W.P.Nos.5846 & 5847 of 2015

8. The Sub-Divisional Magistrate (South),
Villianur,
Puducherry – 605 110. ...Respondents in W.P.No.5847 of 2015

Prayer in W.P.No.5846 of 2015: Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to Order bearing No.S-35015/108/2014-SS.II, dated 05.01.2015 on the file of the 1st respondent and quash the same and consequently, direct the 1st respondent to consider and pass orders on the Application dated 16.09.2013 filed by the petitioner u/s.16(2) of the Employees' Provident Fund & Miscellaneous Provisions Act, 1952 on merits and forbearing the respondents 2, 3 & 4 from initiating/proceeding with any recovery action under the said Act against the petitioner till then.

Prayer in W.P.No.5847 of 2015: Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the records to (i) the Complaint bearing No.TN/TBM/PDY/ PC/286/EO-Divn-I/2015, dated 28.01.2015 on the file of the 3rd respondent and (ii) the 4 Nos. of Prohibitory Order-CP-4 bearing No.TN/TBM/SRO/PCY-286/CP-4/Comp/Dn_IV/2015, dated 12.02.2015 by the 2nd respondent (iii) the Notice of Attachment bearing No.TBM/PDY/PC/286/Recovery/Div-IV/2015, dated 13.02.2015 & (iv) the Notice to Show Cause why a warrant of arrest should not be issued bearing No.TBM/SRO/PCY/Comp/Div-IV/PC/286/2015, dated 16.02.2015 on the file of the 2nd respondent and quash the same and consequently, forbear the respondents 1 to 3 from taking recovery actions under the Employees' Provident Fund & Miscellaneous Act, 1952 against the petitioner till the final disposal of the Application dated 16.09.2013 filed by the petitioner u/s.16(2) of the said Act.

For Petitioner : Mr.T.M.Naveen
(in both W.P's.)

For Respondents : Mr.K.Srinivasamurthy,
(for R2 to R4 in W.P.No.5846 of 2015)
(for R1 to R3 in W.P.No.5847 of 2015)



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COMMON ORDER

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When the matters were taken up for hearing, the learned counsel for the petitioner submitted that the prayers sought for in these Writ Petitions have become infructuous.

2. In view of the above submission made by the learned counsel for the petitioner, these Writ Petitions stand dismissed as infructuous. No costs. Consequently, the connected Miscellaneous petitions are closed.

03.03.2025

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NCC : Yes / No
Index : Yes / No
Speaking order : Yes / No

To:

1. The Regional Provident Fund Commissioner-II/OIC,
Employees Provident Fund Organisation, Sub-Regional Office,
No.101, 100 ft. Road, Cholan Nagar,
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M.DHANDAPANI, J.

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