



WEB COPY



W.P.No.10093 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM :

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

W.P.No.10093 of 2025

M/s.Aiswarya Feeds
Rep. by its Managing Partner,
R.Gunasekaran
No.4/132, Mohanur Road,
Sanniyasikaradu PO,
Vagurampatti, Namakal District.

...Petitioner

Vs.

The Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
Regional Office,
Steel Plant Road,
Dalavalpatti,
Salem – 636 302.

...Respondent

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondent to permit the petitioner to remit the sum of Rs.3643538/- in 30 equated monthly instalments in terms of order issued by respondent in No.CB/RO/SLM/Comp-I/PDC/47983/S-4/14-B-Proceeding/2024 dated 14.10.2024.

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For Petitioner : Mr.C.K.M.Appaji

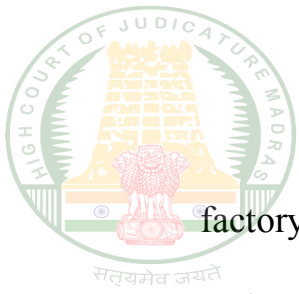
For Respondent : Mr.M.Palani Muthu for EPF

ORDER

The petitioner has filed this Writ petition seeking direction to the respondent to permit the petitioner to remit the sum of Rs.36,43,538/- in 30 equated monthly instalments in terms of order issued by respondent in No.CB/RO/SLM/Comp-I/PDC/47983/S-4/14-B-Proceeding/2024 dated 14.10.2024.

2. Mr.M.Palani Muthu, learned counsel takes notice on behalf of the respondent. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

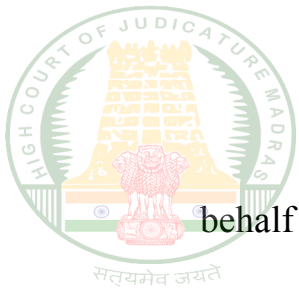
3. The case of the petitioner is that the petitioner firm is involved in Egg Trading, Manufacturing of Poultry and Cattle Feeds. It was established in the year 1994. Due to severe recession in the industry, the petitioner



factory faced difficulties from the year 2018 till 2019, leading to borrowing and accumulation of interest. As a result, the petitioner failed to pay contributions from April 2015 to March 2019, prompting an inquiry under Section 7A, after which, . Thereafter, the levied amount of Rs.36,43,538/- has been paid. However, the respondent initiated another inquiry under Section 14B and an ex-parte order has been passed on 14.10.2024 levying a sum of Rs.36,43,538/- towards damages u/s.14B of the Act. Subsequently, an ex-parte order levying interest of Rs.26,85,211/- on 05.09.2024 came to be passed under Section 7Q. Seeking to permit the petitioner to remit the demand amount of Rs.36,43,538/- in 30 equated instalments, the present writ petition has been filed.

4. Though very many grounds have been raised, the learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondent to permit the petitioner to remit the determined amount of Rs.36,43,538/- in 30 equated monthly installments.

5. On the above said contentions, heard learned counsel appearing on



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behalf of the respondent and perused the materials available on record.

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6. In view of the limited request made by the learned counsel for the petitioner, this Court without going into the merits of the case, permits the petitioner to remit the entire demand amount of Rs.36,43,538/- by way of Twenty (20) equated monthly installments, commencing from 7th April, 2025 and shall pay the installments on or before 7th of every succeeding English Calendar month, failing which, it is open to the respondent to initiate appropriate action against the petitioner in accordance with law.

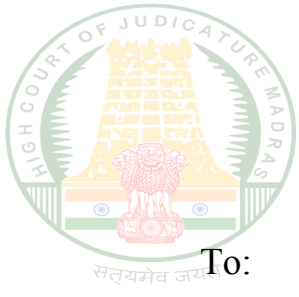
7. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous petition is closed.

20.03.2025

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

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To:

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The Assistant Provident Fund Commissioner,
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M.DHANDAPANI, J.

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