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W.P.No.11337 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2025

CORAM :

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

W.P.No.11337 of 2025
and W.M.P.No.12779 and 12780 of 2025

M/s.Central Footwear Training Institute,
represented by its Director K.Muralidhar,
No.65/1 GST Road,
Guindy, Chennai-600 032.

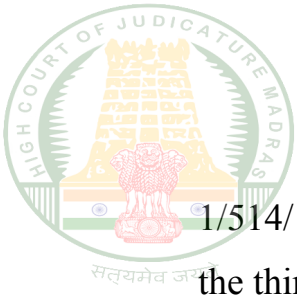
...Petitioner

Vs.

- 1.The Regional Provident Fund Commissioner,
Regional Office, Tambaram,
No.3, Rajaji Salai, West Tambaram, Chennai-48.
- 2.The Enforcement Officer,
Office of the Regional Provident Fund Office,
No.3, Rajaji Salai, West Tambaram, Chennai-48.
- 3.The State Bank of India,
represented by its Chief Manager,
Guindy Branch (Code:00956),
Chennai.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the first respondent dated 04.11.2024 in diary No.2768/2019 and the consequential notice dated 04.03.2025 in No:TB/TAM/ENF/CC-



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1/514/1726996/2024-2025 and quash the same and consequently, forbearing the third respondent from remitting the amount to the first respondent herein.

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For Petitioner : Mr.ARL.Sundaresan
Additional Solicitor General for
Mr.S.Janarthanam

For Respondent : Mr.Thirunavukarasu

ORDER

This Writ Petition has been filed challenging the order dated 04.11.2024 passed by the first respondent and the consequential Notice dated 04.03.2025 issued by the first respondent and for a consequential direction to forbear the third respondent from remitting the amount to the first respondent.

2. The learned Additional Solicitor General appearing for the petitioner submits that the petitioner is the Central Footwear Training Institute and for non-payment of the Employees Provident Fund contribution, the first respondent initiated proceedings under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952, and passed an order on 04.11.2024 directing the petitioner to remit the determined amount of Rs.1,85,02,122/-, against which, the petitioner preferred a review petition before the first respondent on 20.12.2024 and it was dismissed and again, the



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petitioner had filed the second review petition on 18.02.2025. During the pendency of the review petition, the first respondent recovered the amount of Rs.1,19,13,993/-, out of Rs.1,85,02,122/- and the balance amount to be payable by the petitioner is Rs.65,88,129/-. Thereafter, the consequential impugned Notice dated 04.03.2025 has been issued by the first respondent to remit the outstanding dues on or before 10.03.2025. In the meanwhile, the first respondent has passed an order of attachment of the bank account of the petitioner. Challenging the same, the present Writ Petition has been filed.

3. The learned Additional Solicitor General appearing for the petitioner submits that the balance amount will be paid by way of six installments, without prejudice to the rights of the petitioner in the review petition pending before the first respondent and since the petitioner being the Central Footwear Training Institute, this Court may lift the order of attachment.

4. Heard the learned Additional Solicitor General appearing for the petitioner and the learned counsel appearing for the respondents.

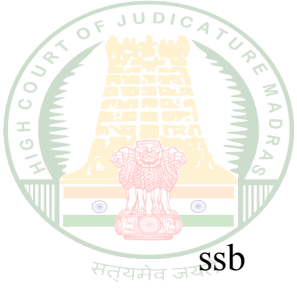


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5. In view of the fact that the petitioner has already paid a sum of Rs.1,19,13,993/- out of Rs.1,85,02,122/- and that the petitioner is now ready to pay the balance amount without prejudice to their right in the review petition pending before the first respondent, this Court, without going into the merits of the case, permits the petitioner to remit the balance amount by way of six (6) 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 first respondent to take appropriate action for attaching the bank account of the petitioner. Since the petitioner agrees to pay the balance amount by way of installments, the first respondent is directed not to enforce the attachment order and also encashing the cheque/ demand draft.

6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs. Connected miscellaneous petitions are closed.

28.03.2025



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

Note: Issue order copy on **01.04.2025**

To:

- 1.The Regional Provident Fund Commissioner,
Regional Office, Tambaram,
No.3, Rajaji Salai, West Tambaram, Chennai-48.
- 2.The Enforcement Officer,
Office of the Regional Provident Fund Office,
No.3, Rajaji Salai, West Tambaram, Chennai-48.
- 3.The State Bank of India,
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M.DHANDAPANI, J.

ssb



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