



W.P.No.17530 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated: 09.05.2025

CORAM :

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.17530 of 2025
W.M.P.No.19887 of 2025

M/s.Annai Velankanni College,
Tholayavattam,
Kanyakumari District-629 157.
Rep. by its Correspondent Fr.A.Jesumarian

... Petitioner

vs.

1. The Regional Provident Fund Commissioner- II,
Employees Provident Fund Organization,
Regional Office, 65 A, Water Tank Road,
Nagercoil 629 001.

2. The Recovery Officer,
Regional Office, Nagercoil,
Employees Provident Fund Organisation,
Regional Office, 65A, Water Tank Road,
Nagercoil -629 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the Respondents from initiating further action in pursuance of the order passed under Section 14B of the EPF and MP Act 1952 in No.MD/NKL/0029280/14B, proceedings / D.No.466/2023 /2025 dated



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28/03/2025 till the appeal in File No.216/2025 dated 05/05/2025 on the file of the Central Government Industrial Tribunal Cum Labour Court, Chennai is taken up for admission.

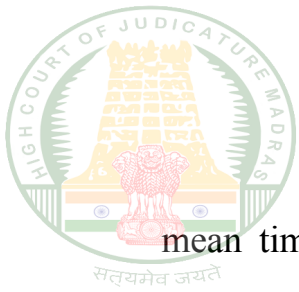
For Petitioner : Mr.CKM Appaji

For Respondents : Mr.P.K.Paneerselvam, for R1 & R2

ORDER

The Writ Petition is filed seeking a Writ of Mandamus to forbear the respondents from initiating any further action, in pursuant to the order passed under Section 14-B of the Employees, Provident Funds and Miscellaneous Provisions Act, 1952(in short “the Act”) dated 28.03.2025, till the appeal filed by the petitioner before the Tribunal is taken up for admission.

2. The petitioner is an Educational Institution against whom the order came to be passed on 28.03.2025 under Section 14B of the Act. Challenging the order passed under Section 14B of the Act dated 28.03.2025, the petitioner had preferred an appeal before the Central Government Industrial Tribunal-Cum-Labour Court, Chennai and the same was numbered and taken on file in E.P.F.A.No.131 of 2025 and the appeal is posted for hearing on 16.06.2025. In the



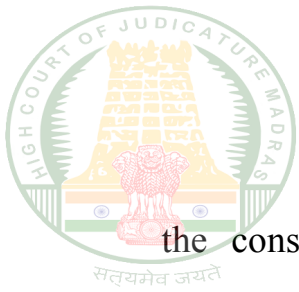
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mean time, pursuant to the order passed, the attachment proceedings has been initiated and the impugned order dated 28.03.2025 came to be passed. In view of the same, the petitioner had come up with present writ petition.

3. The learned counsel appearing for the petitioner contended that now the appeal has been taken up on file and numbered as E.P.F.No.131 of 2025 and the appeal is posted for hearing on 16.06.2025. In the mean time, the attachment proceedings have been sought to be enforced and if the same is given then the petitioner an educational institution, will be affected.

4. The learned counsel appearing for the respondents submitted that since already the appeal has been filed and taken up on file, the appeal may be directed to be disposed of in a time framed manner.

5. Considering the rival submissions and taking note of the fact and circumstances of the case that already the appeal has been filed as against the order dated 28.03.2025 passed under Section 14B of the Act and also in view of the fact that the appeal is posted for admission in the month of June, 2025, I am of



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the considered opinion that the interest of the parties could be protected.

Therefore, the the Central Government Industrial Tribunal-Cum-Labour Court, Chennai is directed to dispose of the appeal within a period of four months, from the date of receipt of a copy of this order. In the meantime, the attachment order passed may be kept in abeyance till the issue is decided by the authority.

6. With the above direction, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

09.05.2025

Index : Yes/No.

Neutral Citation : Yes/No.

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To,

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Employees Provident Fund Organization,
Regional Office, 65 A, Water Tank Road, Nagercoil 629 001.

2. The Recovery Officer, Regional Office, Nagercoil,
Employees Provident Fund Organisation,
Regional Office, 65A, Water Tank Road,
Nagercoil -629 001.

3. The Government Pleader, High Court, Madras.



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G. ARUL MURUGAN

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