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WP No. 33458 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 03-09-2025**

CORAM

**THE HONOURABLE MR.JUSTICE K.SURENDER**

**WP No. 33458 of 2025  
and WMP.Nos.37585 & 37586 of 2025**

M/s.Pondy Die Castings Pvt Ltd  
Rep. By Its Managing Director  
Mr.P.Prasad, A1 And A2, Industrial  
Estate, Sedarapet, Puducherry-605 111

Petitioner(s)

Vs

1. Regional Provident Fund  
Commissioner -II,  
Employees Provident Fund  
Organisation, Regional Office, No.101,  
100 Feet Road, Cholan Nagar, Olandai  
Keerapalayam, Pudukerry-605 004.

2.The Branch Manager  
Indian Bank Main Branch, 288,  
M.G.Road, Puducherry-605 001.

Respondent(s)

**PRAYER**

This Writ Petitions is filed under Article 226 of Constitution of India seeking Writ of Certiorarified Mandamus to call for the records of impugned prohibitory order bearing Ref. No.TBM//RO/PDY/ Recovery / PC/ 533/ Div-III/



2025-26 dated 21.08.2025, issued by the 1st respondent to quash the same and allow us to pay the amount of Rs.28,80,262 (Rupees Twenty Eight Lakhs Eighty Thousand Two Hundred and Sixty Two only) in 24 equal monthly instalments.

For Petitioner(s): Mr.P.Thangaraju

For Respondent(s): Mr.P.K.Paneer Selvam for R1

### **ORDER**

By consent of both parties, this Writ Petition is being disposed of at the admission stage itself.

2. This Writ Petition is filed seeking quashment of impugned prohibitory order bearing Ref. No.TBM//RO/PDY/ Recovery / PC/ 533/ Div-III/ 2025-26 dated 21.08.2025, issued by the 1st respondent and permit the petitioner to settle the outstanding amount of Rs.28,80,262/- in 24 equated monthly instalments.

3. The petitioner, a manufacturer of precision Aluminum and Zinc die-cast components, faced significant financial difficulties due to the COVID-19 pandemic, leading to delays in disbursing salaries and settling statutory dues.

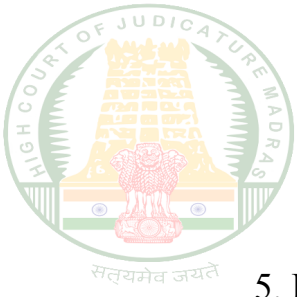
The respondent initiated proceedings under the Employees Provident Fund and



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Miscellaneous Provisions Act, 1952, and passed orders determining outstanding contributions, damages and interest. The petitioner has already filed an appeal challenging the order imposing damages under Section 14B of the EPF Act. However, the respondent is proceeding with coercive recovery measures despite the pending appeal. The petitioner seeks permission of this Court to pay the remaining liability of Rs.28,80,262/- in 24 equal monthly instalments, citing financial hardship and the need to sustain the establishment and its employees' livelihood. Hence, the petitioner is before this Court by invoking Article 226 of Constitution of India.

4. The learned counsel for the petitioner submits that a notice was issued for a sum of Rs.44 lakhs, calculated on the basis of interest and penal fees. An appeal has been filed challenging the penal fees, which is currently pending without any interim orders. The petitioner proposes to the amount of Rs.28 lakhs in 24 equated monthly instalments. It is clarified that the said amount is not final, and any remaining amount shall be subject to the outcome of the pending Appeal.



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5. Heard both sides and perused the records.

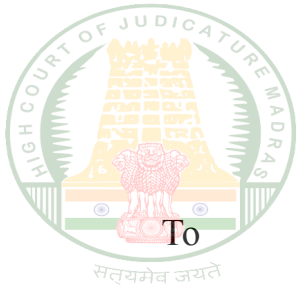
6. Though the petitioner has requested permission of this Court to pay the outstanding amount in 24 monthly instalments, after considering the circumstances of this case, this Court deems it appropriate to direct the petitioner to pay the amount of Rs.28,80,262/- in 10 equated monthly instalments. The first instalments shall be paid on or before 12.09.2025 and the remaining instalments shall be paid on the first working day of each subsequent month. In the event of failure to pay any of the instalments, the respondent shall be at liberty to proceed in accordance with law.

7. With the above directions, this Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

**K.SURENDER, J.**  
**03-09-2025**

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