



W.P.Nos: 33981, 38622 of 2024 and 7273, 7278, 9974 & 10798 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.Nos: 33981, 38622 of 2024 and 7273, 7278, 9974 & 10798 of 2025
and

W.M.P Nos: 36793, 36794, 36795, 36796, 41829, 41832, 41834, 41837
of 2024 and 8087, 10034, 10031, 11167, 11169, 11171, 12160, 12161 of
2025

The Assistant Commissioner,
Ammamet Ward office Salem Corporation,
Urban Primary Health Care,
Vidhya Nagar, Ammapet,
Salem – 606003.

... Petitioner in All Writ Petitions

Versus

1. The Regional Provident Fund Commissioner-II,
Regional Office,
Employees Provident Fund Organisation,
Salem Steel Plant Road,
Dalavaipatti, Salem-636302.

..1st Respondent in all writ petitions

2. The Enforcement officer,
Regional Office,
EPF Organisation,
Salem Steel Plant Road,
Dalavaipatti, Salem -636302

...2nd Respondent in all writ petitions



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3. The Branch Manager
Canara Bank,
Ammapet Zone,
Salem – 630 003.

...3rd Respondent in W.P.No.33981 of 2024,
7273, and 7278 of 2025

4. The Branch Manager
Canara Bank,
Alagapuram Branch,
Salem – 636 003.

...3rd Respondent in W.P.No.38622 of 2024

5. The Branch Manager
Indian Bank, Main Branch
Salem.

...3rd Respondent in W.P.No. 9974 of 2025

6. The Branch Manager
Canara Bank,
Suranmangalam Branch
Salem – 636005.

...3rd Respondent in W.P.No. 10798 of 2025

Prayer in W.P.No.33981 of 2024: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorari calling for the records relating to the order in No.FORM No. E.P.F.C.P. 1 RRC No. CB/RO/SLM/2410395/RECY/S-II/2024 Dated: 08.08.2024 demanding the petitioner to pay the said EPF amount of Rs.37,49,004/- passed by the first respondent and to quash the same.

Prayer in W.P.No.38622 of 2024: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorari calling for the



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records relating to the order in No.FORM No. E.P.F.C.P. 1 RRC No. CB/RO/SLM/2410356/S 5/2024 Dated: 23/08/2024 demanding the petitioner to pay the said EPF amount of Rs.1,03,24,943/- (Rs. One Crore three lakhs twenty four thousand nine hundred forty three) and CB/RO/SLM/2410356/RECY/S-V/2024 dated 08.08.2024 demanding the petitioner to pay the said EPF amount of Rs.58,72,494/- (Fifty eight lakhs seventy two thousand four hundred and ninety four) passed by the 1st respondent and to quash the same.

Prayer in W.P.No.33981 of 2024: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorari calling for the records relating to the order in No.FORM No. E.P.F.C.P. 1 RRC No. CB/RO/SLM/2410395/RECY/S-II/2024 Dated: 08.08.2024 demanding the petitioner to pay the said EPF amount of Rs.37,49,004/- passed by the first respondent and to quash the same.

Prayer in W.P.No. 7273 of 2025: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorarified Mandamus to call for the records of the 1st respondent relating to the order notice under reference No.CB/RO/SLMPDC/SHG/2025 dated 24/01/2025, No.TN/CB/RO/SLM/PDC/Ammamet Zone/8F/2025 dated 11.02.2025, and No.CB/SLM/RO/RECY/Ammamet Zone/8F/2025 dated 12.02.2025 under section 8F of the Employees Provident Fund and Miscellaneous Provisions Act 1952 and to quash the same with consequential direction to the 3rd Respondent Bank to defreeze the account of the petitioner held with the said bank and pass orders.



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Prayer in W.P.No. 7278 of 2025: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Declaration to declare that the EPF (Employees Provident Fund and Miscellaneous Provisions Act, 1352) would not apply to the Self Hep group by the State Government as the same is a scheme of the government for the cause of the society and consequently stop demanding the EPF, damages, penal interest or arrears from the petitioner for having engaged the Self Help groups and pass orders.

Prayer in W.P.No. 9974 of 2025: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the notice under reference No.CB/RO/SLMPDC/SHG/2025 under 14B and simple Interest 7Q of the Employees Provident Fund and Miscellaneous Provisions Act, 1952, and order under reference No. TN/CB/RO/SLM/PDC/Hasthampatty Zone/8F/2025 dated 11.02.2025. under section 8F of the Employees Provident Fund and Miscellaneous Provisions Act 1952 to the manager of Indian Bank, Salem to freeze the Account of AC Hasthampatty and to remit Rs. 53,09,274/- (Fifty three Lakhs Nine Thousand Two Hundred and seventy four only) to EPFO Office Salem, and proceedings under reference No. CB/RO/SLM.Comp-I/PDC/2410356/S-5/14-B- Proceeding/2025 dated 12.02.2025 u/s 14B for Rs.56,72,598/- (Fifty Six Lakh seventy Two Thousand Five Hundred and Ninety Eight Rupees Only) and under reference No. CB/RO/SLM/Comp-I/PDC/2410356/S-5/7Q-Proceedings/2025 dated 12.02.2025 u/s 7Q for Rs.46,52,345 (Forty Six Lakh Fifty Two Thousand Three Hundred and Forty Five rupees only(



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totalling Rs.1,03,24,943 (One Crore Three Lakh Twenty Four Thousand Nine Hundred and Forty Three Rupees Only) passed by the 1st Respondent and to quash the same with consequential direction to the 3rd respondent bank to defreeze the account of the petitioner held with the said bank.

Prayer in W.P.No. 10798 of 2025: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the order under reference No. TN/CB/RO/SLM/PDC/Suramangalam Zone/8F/2025 dated 11/02/2025, and under reference No. CB/SLM/RO/RECY/Suramangalam Zone/8F/2025 dated 12.02.2025 passed by 1st respondent u/s 8F of the Employees Provident Fund and Miscellaneous Provisions Act 1952 and to quash the same with consequential direction to the 3rd respondent bank to defreeze the account of the Petitioner held with the said Bank and pass further orders.

For Petitioner in : Mr.S. Haja Nazirudeen AAG
all Writ Petitions Assisted by Ms. Devi N

For Respondents in : Mr. Paneer Selvam For R1 and R2
33981 of 2024

and : Mr. R. Sreedhar for R3
7273, 7278, 9974,
10798 of 2025

For Respondents in : Mr. Paneer Selvam For R1 and R2

38622 of 2024 : Mr.P.Raghunathan for
T.S. Gopalan for R3



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COMMON ORDER

Since the issue involved in the present writ petitions are one and the same, they are disposed of by way of this common order.

2.The case of the petitioner is that the petitioner implemented the Amma Unavagam (canteen) scheme as per the Government Orders in G.O.(Ms)No.79, Municipal Administration and Water Supply Department dated 31.05.2013 and G.O.(4D) No.2, Municipal Administration and Water Supply Department dated 26.02.2021 by engaging members of Self-Help groups (SHGs). These SHGs, formed by rural poor for poverty eradication, were engaged on a temporary basis for various civic duties including sanitation, mosquito control and running Amma Canteens. They are neither regular employees of the corporation nor do they constitute a factory or an establishment covered under the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (in short 'the Act'), hence they are not entitled to EPF. However, the Employees Provident Fund Organisation issued proceedings under section 7A of the Act, demanding contributions for the period of June 2013 to March 2018, and later initiated recovery proceedings under sections 8B to 8G of the Act,



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including freezing of bank accounts. Despite the pendency of writ petitions before this Court in the said matter, fresh notices were issued along with recovery orders demanding payment of interest under section 7Q and damages for belated EPF remittances, even though the petitioner have already been deducting and remitting EPF contributions regularly from 2021 onwards. Aggrieved by the same, the petitioner Corporation has filed these writ petitions seeking the respective reliefs.

3. The Deputy Commissioner Salem Corporation, Mr.Balasubramanian and the Assistant Commissioner Salem Corporation, Mr.G.Vediappan appeared before this Court and on instructions, the learned Additional Advocate General appearing for the petitioner in respective writ petitions fairly submitted that this Court may permit the petitioner to pay the interest under 7Q by way of 20 installments and in respect of 14B damages, this Court may set aside the matters and remand the same to the authority to resolve the issue either with regard to waiver or reduction of damages. He further submits that the petitioner has already paid the 7A contribution.



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4. Heard both sides.

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5. In view of the fair submission made by the learned Additional Advocate General appearing for the petitioner in the respective writ petitions, this Court, without going into the merits of the case, permits the petitioner to remit the respective interest under Section 7Q of the Act as ordered by the EPF Authority in the respective impugned orders by way of twenty (20) equated monthly installments, commencing from 1st June, 2025 and shall pay the remaining installments on or before the 1st of every succeeding English Calendar month.

6. Upon payment of first installment within the prescribed period, the Bank Account of the petitioner shall be de-frozen. If the petitioner fails to adhere to the undertaking of remitting any of the installments and commits default, it is open to the respondents 1 and 2 to initiate appropriate action against the petitioner in accordance with law.



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7. Insofar as the damages under Section 14B of the Act is concerned, the same is set aside and the matter is remanded to the EPF authority for fresh consideration. The EPF authority shall hear the petitioner as well as the parties concerned and pass appropriate orders as expeditiously as possible.

W.P.No.7278 of 2025:

8. Though the petitioner has filed the said writ petition seeking to declare that the EPF (Employees Provident Fund and Miscellaneous Provisions Act, 1952) would not apply to the Self Help group by the State Government as the same is a scheme of the government for the cause of the society and to consequently stop demanding the EPF, damages, penal interest or arrears from the petitioner for having engaged the Self Help groups, however, the respondents are quasi Government and the Government is well within its power. Without knowing the power of the Government filing declaration petition is unsustainable. Accordingly, the above writ petition stands dismissed.



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9. In result, W.P.Nos. 33981, 38622 of 2024 and 7273, 9974 & 10798 of 2025 stand disposed of and W.P.No.7278 of 2025 stands dismissed. No costs.

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Index : Yes/No

Speaking order : Yes/No

NCC : Yes/No

RAP

Note: Issue order copy on 28.05.2025.

To

1. The Regional Provident Fund Commissioner-II,
Regional Office,
Employees Provident Fund Organisation,
Salem Steel Plant Road,
Dalavaipatti, Salem-636302.
2. The Enforcement officer,
Regional Office,
EPF Organisation,
Salem Steel Plant Road,
Dalavaipatti, Salem -636302
3. The BranchManager
Indian Bank, Main Branch
Salem.



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M.DHANDAPANI, J.

RAP

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