



WEB COPY

WP No. 38216 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 38216 of 2025

1. M/s.Tirumala Chemical And Allied
Industries,
Rep. By Its Director Manish Bhuraria,
No.305, Krishna Complex, 4-1-938,
Tilak Road, Abids, Hyderabad,
Telangana-500 001.

Petitioner(s)

Vs

1. Employees Provident Fund
Organisation,
Ministry Of Labour And Employemnt,
Govt. Of India, Regional Office-vellore,
S-1, Tnhb, Phase Iii, Sathuvachari,
Vellore-632 009.

Respondent(s)



PRAYER

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of certiorari, calling for the records of the respondent in its proceedings No.TB/VLR/ 1557983/ ENF-V/ 2019/ 2878 and quash it order dated 08.07.2019.

For Petitioner(s): Mr.R. Vijayaraghavan
S. Annakkodi
V.R. Ramesh
T.A. Preetha

For Respondent(s): Mr. P.K. Panneerselvam

ORDER

(1)The writ petition is filed challenging the order of the respondent dated 08.07.2019 passed under Section 7-A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952.

(2)The petitioner/Company is engaged in the business of manufacturing and distributing chemical free premium quality physically refined rice bran oil and other refined oils. The petitioner earlier had a factory in Kanchipuram, but had closed it during June 2017 and while functioning at Kanchipuram, it



had remitted all statutory contributions under the EPF and MP Act, 1952, and other Statutes for the eligible employees until its closure in the year 2017.

The petitioner further states that in its manufacturing business, it engaged the services of contractors who deployed their men for loading and unloading related works in its manufacturing Units across the State of Tamil Nadu and the petitioner was under the belief that the loading contractors covered their employees under the EPF & MP Act, 1952, and had separate code numbers. However, to the dismay of the petitioner, in June, 2018, the respondent initiated enquiry under Section 7A of the EPF Act, for determination of dues for the default period from 06/2017 to 04/2018. The petitioner participated in the enquiry and submitted that the factory was closed since 2017. However, the respondent passed a cryptic order on 08.07.2019, holding that the petitioner/Company was in default of Provident Fund dues of Rs.4,32,141/-. The petitioner/Company preferred an appeal against the aforesaid order in EPFA.No.71/2025, along with the condone delay application. The CGIT-cum-Labour Court, Chennai, had, by its order dated 17.06.2025, dismissed the appeal on the ground of limitation. The petitioner thereafter filed the



above writ petition challenging the 7A order passed by the respondent dated 08.07.2019.

(3) During the course of hearing on 25.10.2025, the learned counsel for the petitioner, upon being apprised of the legal impediment arising from the finality attached to the impugned order consequent upon the dismissal of the statutory appeal in EPFA.No.71/2025, sought time for instructions from his client/petitioner for payment of dues in instalments.

(4) Today, when the matter is taken up for hearing, the learned counsel for the petitioner prayed that the petitioner may be permitted to pay the Provident Fund dues of Rs.4,32,141/-, for the default period from 06/2017 to 04/2018, in instalments.

(5) Under the facts and circumstances of the case and considering that the liability is admitted and only payment in instalments is prayed, the writ petition is **disposed of with the following directions:-**

(a) The petitioner shall pay a sum of Rs.1,00,000/- [Rupees One Lakh only] on or before 30.11.2025 ;



(b) The petitioner shall pay the balance amount of Rs.3,32,141/- in six instalments commencing from 10.12.2025 and thereafter, continue to pay on the 10th of every succeeding month ;

(c) It is made clear that if the petitioner/Company defaults in payment of any one of the instalments, the respondent is at liberty to take coercive steps in a manner known to law, for recovery of the dues.

No costs.

29-10-2025

AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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N.MALA J.

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