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W.P.No.43441 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.12.2025

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.43441 of 2025
W.M.P.Nos.48612 & 48613 of 2025

1.Deepu Babu Abraham

2.M/s.Vardeep Petro Chemicals Pvt Ltd.,
Varsha Apartments, Flat No.2,
Old No.99, New No.22 AB Block, 1st Street,
Annanagar, Chennai – 600 102.

Represented by its Director Deepu Babu Abraham

...Petitioners

Vs.

1.The Recovery Officer & Assistant PF Commissioner
R-40, A-1, TNHB Shopping – cum office Complex,
Mugappair Road,
Mugappair East, Chennai – 600 037.

2.The Employees Provident Fund Organisation
R-40, A-1, TNHB Shopping – cum office Complex,
Mugappair Road,
Mugappair East, Chennai – 600 037.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
pleased to issue a Writ of Certiorarified Mandamus or any other appropriate writ,
order or direction, calling for the records relating to the impugned CP-25 Notice
dated 10.03.2025 bearing Reference

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No.TN/RO/AMB/Recovery/Area/3/69700/RRC-8984/2025 issued by the 1st respondent and quash the same as arbitrary, illegal, and consequently grant the 2nd petitioner opportunity to pay the outstanding dues to the 2nd respondent in eighteen installments.

For Petitioners : Mr.Thomas T Jacob
For Respondents : Mr.M.S.Viswanathan

ORDER

This Writ Petition is filed with a prayer to call for the records with reference to the CP-25 notice dated 10.03.2025 and quash the same and for consequential reliefs.

2.Without going into the merits of the submissions made before this Court, on the last hearing this Court by order dated 13.11.2025 directed both parties to verify as to how much is the amount paid and how much is the balance. The Court took into account that some amount has also been paid post impugned order.

3.Today, the learned counsel appearing on behalf of the respondents / organization would file a memo. As per the same, the total penal damages levied by the authorities is Rs.17,04,655/-. Of which a sum of Rs.7,15,006 has already been paid by the petitioner till 31.07.2025 and balance amount payable is



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Rs.9,89,649/- + Rs.2,500/- being the recovery charges in all the total amount payable is Rs.9,92,149/-

4.The learned counsel for the petitioner submits that if granted eighteen installments, the same will be paid. The said prayer is opposed by the learned counsel for the respondents by pointing out earlier the petitioner undertook to pay a sum of Rs.69,000/- per month and even regarding those installments he has not paid. The installment now prayed for goes even beyond the original time taken by the petitioner. The learned counsel submits that at best ten installments can be granted.

5.I have considered the rival submissions and perused the materials available on records of the case.

6.Considering the fact that the substantial sum that is Rs.7,15,006/- is being paid by the petitioner and the petitioner is also undertaking to pay the same by way of monthly installments, I am of the view that fifteen monthly installments can be granted to pay the balance sum of Rs.9,92,149. In view thereof, the Writ Petition is disposed of on the following terms:-



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i)The petitioner shall pay the balance amount of Rs.9,99,149 in fifteen monthly installments of Rs.66,143/- each.

ii)The first installment shall commence in the month of December 2025 and shall be paid on or before 10th day of every month. Even if the petitioner fails in paying the single installment, the respondents will be at liberty to take recovery proceedings in respect of the entire balance sum outstanding.

iii) It is also made clear that no further extension of time will be granted.

7.With the above directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

03.12.2025

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Neutral citation : Yes/No



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To

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D.BHARATHA CHAKRAVARTHY, J.,

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