



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-12-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**W.P.No.49301 of 2025
& W.M.P.No.55070 of 2025**

Puduvai Bharathiyar Grama Bank
(Now known as Puducherry Grama bank),
Rep. by its General Manager,
Mr. N. Ganapathi,
No.415, Kamaraj Salai, Saram,
Puducherry - 605 013.

... Petitioner

Vs.

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

2.The General Secretary,
Puduvai Bharathiar Grama Bank Employees Union,
No.20, Housing Board Lay Out,
3rd Cross Extension, Annai Theresa Nagar,
Moolakulam, Puducherry.

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India, to issue Writ of Certiorari, calling for the records relating to the order bearing No.TBM/RO/PDY/Recovery/PC/1916/Div-IV/2025-26, dated 27.11.2025 on the file of the 1st respondent and quash the same.

For Petitioner: Mrs.Rita Chandrasekar
for Aiyar And Dolia

For Respondents: Mr.Dwarakesh Prabakaran,
Standing Counsel, (EPF)
for R1 & R2



ORDER

This writ petition is filed to challenge the impugned order dated 27.11.2025 passed by the first respondent. By the said order, the petitioner is declared to be a deemed defaulter as provided under Section 8 F(X) of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 and it was decided to initiate further proceedings to recover the outstanding statutory dues of Rs.26,63,359/-.

2. Upon perusing the affidavit filed in support of the writ petition and the other materials on records and after hearing the Learned Counsel for the petitioner, the grievance of the petitioner is that, as against the original liability fixed, an appeal in EPFA No.42 of 2020 is pending. Originally, the Appellate Authority had granted an interim order on 07.09.2022 directing the petitioner to deposit 35% of the amount due and also granted an interim order restraining the respondents not to take any coercive steps against the appellant. The petitioner failed to pay that amount and however, challenged the same by way of W.P.No.26827 of 2022 and by an order dated 30.06.2025, the petitioner was directed to deposit a sum of Rs.12,02,641.30 before the second respondent within a period of six weeks and thereafter, the Appellate Authority was directed to pass orders on merits in accordance with law, till the said time, the interim order granted pending the writ petition was also extended. It is seen that, in the



meanwhile, the appeal itself was dismissed for non-prosecution. Under the said circumstances, an application was filed in M.P.No.49 of 2025 to recall the order of dismissal and to restore the EPFA No.42 of 2020 to the file of the first respondent tribunal. It is stated that, by an order dated 19.11.2025, the said application is now allowed and the application is restored. Once the application is restored and since it is stated that the petitioner has also complied with the condition of deposit of the amount as directed by the Authority and modified by this Court in the writ petition, it goes without saying that the interim order originally granted would also stand revived and no coercive steps can be taken till the disposal of the appeal. Therefore, the impugned order, dated 27.11.2025 cannot stand.

3. The Learned Counsel appearing on behalf the respondents is not in a position to dispute the said preposition.

4. Therefore, this writ petition is liable to be allowed and is accordingly allowed on the following terms:

(i) The impugned order dated 27.11.2025 stands quashed. It is made clear that there shall be an interim order restraining the respondents not to take any coercive steps with reference to the subject matter of the appeal in EPFA.No. 42



of 2020 pending before the first respondent Tribunal.

(ii) The appeal shall be disposed of as expeditiously as possible. The Authority shall act on the web copy of this order without waiting for the certified copy of the order.

There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

15-12-2025

Neutral Citation:No.
bsm

To,

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

2.The General Secretary
Puduvai Bharathiar Grama Bank Employees Union,
No.20, Housing Board Lay Out,
3rd Cross Extension, Annai Theresa Nagar,
Moolakulam, Puducherry -605 010.



WEB COPY

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bsm

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