



W.P.(MD) No.4209 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.4209 of 2021
and
W.M.P.(MD) No.3381 of 2021

M/s.Rohini Fire Works Factory
Kombankiyapuram Village
Sankarapandiapuram Post
Elayirampannai Via
Virudhunagar District
rep.by its Managing Partner

... Petitioner

-VS-

The Regional Provident
Fund Commissioner-II
Regional Office
Bhavishya Nidhi Bhavan
LDC Road
Chokkikulam
Madurai

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records relating to the impugned notice issued by the respondent in No.MD/MD/41349/Enf.B/M.10/SCN/2020, dated 10.12.2020 and quash the same as illegal.



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For Petitioner : Mr.M.E.Ilango

For Respondent : Mr.A.John Xavier

ORDER

This matter earlier came up for consideration before this Court on 04.04.2025, but the same was adjourned to enable the learned counsel on either side to get instructions in this matter.

2. However, today, when the matter is taken up for consideration, Mr.M.E.Ilango, learned counsel for the petitioner, submitted that he could not get instructions from the petitioner.

3. Mr.A.John Xavier, learned counsel appearing for the respondent submitted that pursuant to the show cause notice, no order, under Section 7A of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952, has been passed so far and the proceedings are still pending.



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4. As the present writ petition has been filed questioning the show cause notice itself, this Court does not find any reason to entertain the present writ petition as against the show cause notice. None of the prerequisites for entertaining a writ petition as against a show cause notice are seen in the present writ petition.

5. In the circumstances, this Court is of the view that the present writ petition as against the show cause notice issued by the respondent is not maintainable and the same is, accordingly, dismissed. However, it is open for the petitioner to respond to the impugned show cause notice within a period of two weeks from the date of receipt of a copy of this order. In case if any such explanation / response is made by the petitioner, the respondent shall consider the same and pass orders on merits and in accordance with law. No costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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