



WP.(MD)No.6192 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.10.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

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and

WMP.(MD)No.4790 of 2022

M/s.Vinayaga Fire Works,
4/105, Sevaloor Village,
Pudukottai Post,
Sivakasi-626123
Virudhunagar District
Through its Partner

... Petitioner

Vs.

The Assistant Provident Fund Commissioner,
Employees' Provident Fund Organization,
Regional Office
Lady Doak College Road-Chokkikulam
Madurai-625 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records from the file of the CGIT cum Labour Court, Chennai herein EPFA.No.80/2020 and to quash the interim order dated 20.12.2021 and also direct the respondent to



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refund the recovered amount from the petitioner when an appeal had been admitted by the Appellate Tribunal.

For Petitioner : Mr.C.Karthikeyan

For Respondent : Mr.R.Ravikumar

ORDER

The conditional interim order passed by the respondent dated 20.12.2021 is under challenge in this writ petition.

2.This writ petition has been filed by the Management as against the conditional order passed by the appellate tribunal while granting an interim order. This Court, in WP.(MD)No.4869 of 2022 dated 17.10.2024, has already passed an order deciding this issue that the appellate authority is entitled to impose any condition while entertaining the application for stay. Moreover, in this case, it is reported that the entire amount pursuant to the damages under Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 [hereinafter referred as



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the Act'] together with interest was already collected from the petitioner. However, the same is subject to the proceedings which is now pending with the appellate Tribunal. The learned counsel on either side submits that in view of the pendency of this writ petition, the Tribunal has also not decided the issue so far.

3.Since the issue has already decided by this Court in WP. (MD)No.4869 of 2022 dated 17.10.2024 and also considering the fact that the amount was already recovered under Section 8F of the Act, this writ petition is disposed of with a direction to the petitioner to workout their remedy before the appellate Tribunal. The appellate Tribunal shall also conclude the appeal in EPFA.No. 80/2020 , as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes/No
Index : Yes/No
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