



W.P.(MD) No.1212 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.1212 of 2019
and
W.M.P.(MD) No.1025 of 2019

M/s.Nadippisai Pulavar
K.R.Ramasamy Co-operative
Sugar Mills Ltd.,
Thalainayar
Ilanthope Post-609 201
Mayiladuthurai
Nagapattinam District
Through its Managing Director

... Petitioner

-VS-

1.Regional Provident Fund
Commissioner-II
Employees' Provident Fund Organisation
Regional Office
No.18, Madurai Road
Trichy-620 008
Trichy District

2.Enforcement Officer
Employees' Provident Fund Organisation
District Office
95, Mothilal Street
Kumbakonam
Thanjavur District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records from the file of the first respondent herein No.CB/TRY/PDC/C-34/27100/14B PROC/2018 dated 05.04.2018 received on 11.04.2018, issued by the first respondent and to quash the same.

For Petitioner : Mr.C.Karthikeyan
for Mr.P.Chandrabose

For Respondents : Mr.I.Robert Chandrakumar

ORDER

This writ petition has been filed by the petitioner aggrieved by an order bearing No.CB/TRY/PDC/C-34/27100/14B PROC/2018, dated 05.04.2018, passed by the first respondent under Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (in short, "the Act, 1952") and this Court, having entertained this writ petition, on 23.01.2019, passed an interim order staying the operation of the impugned order dated 05.04.2018 till 25.02.2019, however, thereafter, the interim order was not extended.



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2. Today, when the matter is taken up for consideration, it is noticed that the petitioner has an effective alternative appeal remedy under Section 7-I of the Act, 1952.

3. In the light of the above, this Court is not inclined to entertain this writ petition as the petitioner has an efficacious alternative remedy provided under the statute.

4. In such circumstances, this writ petition is dismissed leaving it open to the petitioner to avail the alternative appeal remedy available under Section 7-I of the Act, 1952, within a period of six weeks from the date of receipt of a copy of this order. In case the petitioner files any appeal as against the impugned order, dated 05.04.2018, passed by the first respondent, the same shall be entertained by the Appellate Tribunal without reference to the period of limitation and dispose of the same on merits and in accordance with law, as expeditiously as possible.

5. In view of the fact that this Court has already passed an interim order initially on 23.01.2019 till 25.02.2019, however, this matter was



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not listed before the Court thereafter, this Court deems it appropriate to direct the parties concerned to maintain *status quo* for a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

20.02.2025

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

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MUMMINENI SUDHEER KUMAR, J.

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20.02.2025