



W.P.(MD) No.14121 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.14121 of 2019

and

W.M.P.(MD) No.10581 of 2019

Paramakudi Municipality
through its Commissioner
Paramakudi
Ramanathapuram District

... Petitioner

-VS-

1.The Assistant Provident
Fund Commissioner (C & R)
Employees Provident
Fund Organization
Regional Office
Lady Doak College Road
Chokkikulam
Madurai-625 002

2.The Enforcement Officer
Compliance Circle /
M-5 Dvn/Madurai
Employees Provident
Fund Organization
Regional Office
Lady Doak College Road
Chokkikulam
Madurai-625 002

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records of the impugned order of the first respondent in TN/RO/MD/MDU/91186/Enf.'C'/M-05/2019, dated 04.06.2019 and impugned order of the first respondent in TN/RO/MD/MDU/91186/Enf.'C'/M-05/2019, dated 04.06.2019 and quash the same as illegal and devoid of merits and unlawful.

For Petitioner : Mr.Prasanna Rajadurai

For Respondents : Mr.P.Karthick
Standing Counsel

ORDER

This writ petition has been filed by the petitioner – Municipality challenging two show cause notices, both dated 04.06.2019, on the ground that the first respondent having issued the first show cause notice dated 04.06.2019, affording fifteen days time to show cause, again issued another show cause notice, on the very same date.



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2. This Court, while entertaining this writ petition, granted an order of interim stay, on the ground that a batch of writ petitions are pending on the same issue.

3. From the perusal of the impugned show cause notices issued by the first respondent, it is evident that they are in respect of two different periods i.e. for the period from June, 2016 to February, 2018 and from March, 2012 to March, 2015 respectively. In view of the same, the contention of the learned counsel for the petitioner is found to be factually incorrect.

4. Insofar as the other contentions that are raised in this writ petition challenging the impugned show causes notices issued by the first respondent are concerned, the same can as well be raised by the petitioner – Municipality in response to the show cause notices while submitting its explanation / representation.

5. In view of the same, this Court is not inclined to entertain this writ petition against the impugned show cause notices.



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6. Accordingly, this writ petition is dismissed granting liberty to the petitioner – Municipality to submit its explanation / representation in response to the impugned show cause notices within a period of fifteen days from the date of receipt of a copy of this order.

7. Subject to the above observations, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

28.02.2025

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

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MUMMINENI SUDHEER KUMAR, J.

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