



W.P.(MD)No.8736 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.8736 of 2019
and
W.M.P.(MD)No.6797 of 2019

M/s. A.J.C.English School & Junior College,
14, Lal Bahadur Sasthri Road,
Kumbakonam 612 001, Thanjavur District,
Through its Correspondent

... Petitioner

Vs.

The Assistant Provident Fund Commissioner,
Employees' Provident Fund Organization,
Regional Office, No.18, Sri Complex,
Madurai Road,
Trichy – 625 008.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to call for the records pertaining in CB/TRY/PDC/C-33/22924/7Q PROC/2018 dated 13.04.2018 on the file of the respondent herein and to Quash the same and also direct the respondent to



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permit the petitioner to remit the E.P.F. interest amount for the period from 04/2016 to 03/2017 to the tune of Rs.7,35,064/- in (Twelve) Equal Monthly Installments.

For Petitioner : Mr.C.Karthikeyan

For Respondent : Mr.I.Robert Chandrakumar

ORDER

This Writ Petition has been filed seeking a Writ of Mandamus to call for the records pertaining to the proceeding No. CB/TRY/PDC/C-33/22924/7Q PROC/2018 dated 13.04.2018 passed by the respondent and to quash the same. However, sought for a consequential direction to permit the petitioner to remit the amount claimed under the impugned proceedings to the tune of Rs.7,35,064/- in 12 equal monthly installments. This Writ Petition was filed in the year 2018. So far the petitioner has not paid the said amount.



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2. When the matter is taken up for consideration, the learned counsel appearing for the petitioner submitted that the petitioner is willing to pay the entire amount due under the impugned proceedings in 10 equal monthly installments.

3. Having taken note of the same, the learned counsel appearing for the respondent objected for grant of installments at this length of time, as the petitioner himself has sought for 12 installments in the year 2018 for payment of the amount due under the impugned proceedings.

4. Having taken into consideration the facts and circumstances of the case especially, the failure on the part of the respondent to take steps to recover the amount due under the impugned proceedings in spite of the fact that there is no stay nor any interim order is passed in this Writ Petition, this Court is of the view that it is a fit case to ensure that the amount due under the impugned proceedings



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5. In the light of the above and especially taking into consideration the undertaking given by the learned counsel for the petitioner that the petitioner would positively pay the entire due in 10 equal monthly installments, this Writ Petition is disposed of directing the petitioner to pay the amounts due under the impugned proceedings dated 13.04.2018 in 10 equal monthly installments commencing from 15.03.2025. In case, if the petitioner commits any default in payment of the installments for two consecutive months, the respondent is at liberty to take appropriate action in accordance with law. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

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Neutral Citation: Yes / No
Index : Yes / No

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