



WP.(MD)No.18376 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.10.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

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and

WMP.(MD)Nos.13386 & 13388 of 2022

Raaga Trailors and Engineering Works,
Rep.by its Proprietor Ganesan.B.,
No.93/6, Seethalakshmi Complex,
100 Feet Road, Near Periyar Statue,
Karaikudi,
Sivagangai District-630 002.

... Petitioner

Vs.

1.The Regional Provident Fund Commissioner-II,
Employees' Provident Fund Organization,
Regional Office, No.1, Lady Doak College Road,
Chokkikulam,
Madurai-625 002.

2.The Regional Provident Fund Commissioner-I,
Employees' Provident Fund Organization,
Regional Office, No.1, Lady Doak College Road,
Chokkikulam,
Madurai-625 002.

3.The Assistant Provident Fund Commissioner,
Employees' Provident Fund Organization,
District Office, No.16A, Railway Station Road,
Nagal Nagar, Dindigul-624 003.



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4.The Assistant Provident Fund Commissioner(Recover),
Employees' Provident Fund Organization,
Regional Office, No.1, Lady Doak College Road,
Chokkikulam, Madurai-625 002.

5.The Chief Manager,
Tamil Nadu Circle,
Bharat Sanchar Nigam Limited BSNL,
No.16, Greams Road,
Chennai-600 006.

... 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 relating to the impugned proceedings issued by the first respondent in his proceedings No. TN/RO/MDU/57785/M40/PDC(R)/7Q/2021 dated 10.03.2021, 2nd respondent in his proceedings No. TN/RO/MD/MDU/57785 /PDC/SPL/7Q/2020 dated 06.10.2020, 3rd respondent in his proceedings No.MD/MDU/57785/penal damages/2021 dated 26.11.2021 and his another proceedings No.MD/MDU/57785/M13/Interest/2022 dated 01.06.2022 and consequently proceedings issued by the 4th respondent No.TN / RO/MD/MDU/57785/Recovery/M.40/2022 dated 29.06.2022 and quash the same and consequently direct the 5th respondent to settle the amount as per claim and the statutory dues to the job workers.

For Petitioner : Mr.S.Karthik

For R1 & R4 : Mr.A.John Xavier

For R5 : Mr.D.Shanmuga Rajasethupathy



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ORDER

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The petitioner/establishment has filed this writ petition as against the order of recovery passed by the EPF authority under Section 8F of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 [hereinafter referred as 'the Act']. This recovery order has been passed by the EPF authority on the damages arrived by them under Section 14B of the Act as against the petitioner/establishment. The petitioner/establishment has already questioned this damage by way of statutory appeal under Section 7I of the Act before the Tribunal and the same is pending in EPFA.Nos.23, 87 and 148 of 2021 for the relevant periods.

2.This Court has entertained this writ petition and granted conditional interim order on 12.08.2022 with a direction to the petitioner to pay a sum of Rs.67,300/- as first installment and remaining nine equal monthly installments should be paid on or before 7th of every succeeding months. Accordingly, it is reported



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that the petitioner/establishment has paid the amount arrived as damages. The recovery order has been issued by the EPF authority for the interest liable to be levied under Section 7Q of the Act.

3.This Court has granted conditional interim order of stay enabling the petitioner/establishment to remit the interest amount on nine equal installments. It is reported that the entire amount has already been paid by the petitioner/establishment. Therefore, this writ petition is closed with liberty to the petitioner to workout the remedy in the statutory appeal. No costs. Consequently, connected miscellaneous petitions are closed.

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