



W.P.(MD) No.18860 of 2015

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.18860 of 2015

and

M.P.(MD) Nos.1 & 2 of 2015

Bharat Petroleum Corporation Ltd.,
rep.by its Territory Manager
Karur Retail Territory
Athur & Kadaparai Village
Athur (PO), Karur 639 008

... Petitioner

-VS-

1.Assistant Provident Fund Commissioner
Employees Provident Fund Organisation
Sub Regional Office
PB No.568, Sree Complex
D Block, No.18, Madurai Road
Trichy 620 008

2.The Enforcement Officer
Karur I Division
Employees Provident Fund Organisation
District Office
Municipal Shopping Complex
New Building, 2nd Floor, Azad Road
Karur-639 001



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3.State Bank of India
Karur Branch
Karur

4.V.Venkatapathy

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records on the file of the first respondent and to quash the impugned order in TN/SRO-TRY/PDC/C-24/43556/2014, dated 27.03.2015 and direct the respondents 1 and 2 not to take action against the petitioner in respect of the dues payable by the fourth respondent.

For Petitioner : Mr.M.Vijayan

For Respondents : Mr.I.Pinaygash
Standing Counsel for R1
Mr.H.Thayumanasamy for R2 & R3
No appearance for R4

ORDER

This Court, after having heard the matter at length and adjourning the matter number of times, it is brought to the notice of this Court by the learned Standing Counsel appearing for the first respondent that



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the impugned proceedings, dated 27.03.2015, issued by the first respondent, under Section 8F of the Employees' Provident Fund & Miscellaneous Provisions Act, 1952, came to be issued under misconception of certain factual aspects and in view of the same, the learned Standing Counsel appearing for the first respondent submitted that the first respondent should be permitted to withdraw the impugned proceedings and take appropriate proceedings afresh in accordance with law.

2. In the light of the above, this Court does not see any reason to adjudicate this writ petition on merits and is of the considered view that it would be appropriate to dispose of this writ petition by setting aside the impugned proceedings and by duly granting liberty to the first respondent to initiate appropriate proceedings in accordance with law.

3. Accordingly, the impugned proceedings dated 27.03.2015, issued by the first respondent, are hereby set aside and first respondent is granted liberty to initiate appropriate proceedings in accordance with law in respect of the delay in remittance of the provident fund amounts for the period from August 2001 to July 2007.



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4. Accordingly, this writ petition is allowed. No costs.

Consequently, connected miscellaneous petitions are closed.

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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