



W.P(MD)No.11546 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2025

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.11546 of 2017

and

W.M.P(MD)No.8884 of 2017

Good Shepard Matric Hr. Sec. School,
Represented by its Correspondent,
P.George.

... Petitioner

Vs.

1.The Regional Provident Fund Commissioner,
EPF Organisation,
Sub-Regional Office,
No.66, Water Tank Road,
Nagercoil,
Kanyakumari District.

2.The Assistant Provident Fund Commissioner,
EPF Organisation,
Sub-Regional Office,
No.66, Water Tank Road,
Nagercoil, Kanyakumari District.

3.The Recovery Officer,
EPF Organisation,
Sub-Regional Office,
No.66, Water Tank Road,
Nagercoil, Kanyakumari District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned recovery order vide RRC No.MDNKL1453/0020873/12/04/2017/502/35, dated 12.04.2017 on the file of the third respondent and quash the same.

For Petitioner : Mr.S.Rajasekar
for M/s.T.Lajapathi Roy & Associates

For Respondents : Mr.M.Mahaboob Athiff
Standing Counsel for EPFO

ORDER

The present writ petition has been filed by the Management of a Matriculation School challenging the recovery certificate issued under Section 8B to 8G of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

2. A perusal of the records reveal that the petitioner's School has suffered an order under Section 7A of the said Act and a consequential order of enforcement, dated 12.10.2015. Challenging these two orders, the School Management had filed W.P(MD)No.21354 of 2015 before this Court. This writ petition was dismissed as withdrawn on 01.12.2015 with liberty to the School



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Management to file an appeal under the said Act. However, so far no appeal has been filed by the School Management.

3. In such circumstances, the EPF Organisation has issued the impugned recovery order on 12.04.2017 which is put to challenge in the present writ petition.

4. The facts narrated above will clearly indicate that the petitioner Management, having not challenged the order passed under Section 7A of the said Act, the present challenge made to the recovery proceedings is not maintainable. Hence, there are no merits in the present writ petition. Therefore, the writ petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

21.08.2025

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



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R.VIJAYAKUMAR, J.

BTR

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