



W.P.(MD)No.27926 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.27926 of 2024
and W.M.P.(MD)No.23687 of 2024

Sky Education and Rural Development Trust,
Rep. by its Managing Trustee,
P.Babu, S/o.V.Palanichamy,
No.53A, AMC Road,
Bus Stand East,
Dindigul – 624 003.

... Petitioner

Vs.

1.The Assistant Provident Fund Commissioner,
O/o. Assistant Provident Fund Commissioner,
No. 16-A, R.S.Road, Bava Lodge Building,
Nagal Nagar, Dindigul 624 003.

2.The Enforcement Officer,
Employees Provident Fund Organization,
No. 16-A, R.S.Road, Bava Lodge Building,
Nagal Nagar, Dindigul 624 003.

... 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 relating to the impugned order passed by the 1st respondent vide his proceedings in diary No.290/2021 and File No. TN/MD/MDU/1659924/IB'B'/M-14/7-A/2024 dated 19.07.2024 and quash the same as illegal.

For Petitioner : Mr.J.Lawrance
For Respondents : Mr.V.S.Karthi

ORDER

This Writ Petition has been filed seeking a Writ of Certiorari to call for the records pertaining to the proceedings in Diary No.290/2021 and File No. TN/MD/MDU/1659924/IB'B'/M-14/7-A/2024 dated 19.07.2024. The said impugned proceeding was issued under Section 7A of “the Employees' Provident Funds and Miscellaneous Provisions Act, 1952” (hereinafter referred to as “the Act 1952”).



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2. This matter came up for consideration on an earlier occasion on 19.02.2025 and the same was adjourned to today for filing counter. Today, when the matter is taken up for consideration, Mr.V.S.Karthi, learned counsel appearing for respondents 1 and 2 fairly submitted that some of the materials placed by the petitioner before the respondent No.1 were not considered while passing the impugned order and therefore, the matter may be remanded back to the respondent No.1 for fresh consideration in accordance with law.

3. In the light of the said submission, without going into the merits of the case, the impugned order dated 19.07.2024 is quashed and the matter is remitted back to the respondent No.1 for considering the matter afresh by duly affording an opportunity to the petitioner and by considering the entire materials that is relied upon by the petitioner. Respondent No.1 is further directed to pass appropriate orders as directed above on remand, as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this order.



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WEB COPY 4. Accordingly, this Writ Petition is allowed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

12.03.2025

Neutral Citation: Yes / No
Index : Yes / No
vsm



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