



W.P.(MD) No.14329 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.05.2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.(MD) No.14329 of 2026

and

W.M.P.(MD)No.10754 of 2026

Colachel Municipality,
Rep. by. Its Commissioner,
Near Colachel Bus Stand,
Colachel,
Kanniyakumari District.

... Petitioner

Vs.

1.The Regional Provident Fund Commissioner- II,
Employees Provident Fund Organization,
Regional Office, Nagercoil,
Kanniyakumari District.

2.The Recovery Officer,
Employees Provident Ind Organization Regional Office,
65A, Water Tank Road, Nagercoil,
Kanniyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari, calling for the records relating to the impugned orders passed by the 1st respondent in his proceeding No.MD/NKL/Enf/C-33/7A Orders/2355783/D.No.206 (2025)/2026 dated



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24.03.2026 and consequently Ref. No. 2026012/MDNKL/
79434/Recovery/CP-1/C-33/2026 dated 16.04.2026 issued by the 2nd
respondent and quash the same.

For Petitioner : Mr.P.Athimoolapandian

For Respondents : Mr.I.Sudhakaran

ORDER

Issue notice of motion returnable by **15.06.2026**. Private notice is also permitted.

2.Mr.I.Sudhakaran, learned counsel takes notice on behalf of the respondents.

3.Apart from the other grounds raised by the petitioner, while the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 stands repealed by the Code of Social Security, 2020, even though the original scheme framed under the Act, is kept intact until the new scheme is framed, whether the assessment proceedings can be made under Section 7A of the Act or 124 of the Code and what will be the remedies available to the petitioner is the question. Since this question has to be



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considered, this writ petition is entertained. It is also made clear that ultimately, if the this Court relegates the petitioner to file an appeal, the question of limitation will also be appropriately considered and saved for the petitioner.

4.In view of the *prima facie* case made out, let there be an order of interim stay. In respect of similar cases, already orders have been passed for tagging them along with W.A.(MD)No.152 of 2023.

5.In view thereof, post this writ petition also along with W.A.(MD)No.152 of 2023 after obtaining appropriate orders.

21.05.2026

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To

- 1.The Regional Provident Fund Commissioner- II,
Employees Provident Fund Organization,
Regional Office, Nagercoil,
Kanniyakumari District.
- 2.The Recovery Officer,
Employees Provident Ind Organization Regional Office,
65A, Water Tank Road, Nagercoil,
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D.BHARATHA CHAKRAVARTHY, J.

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