

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**TUESDAY, THE TENTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY SIX**



:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 3755 OF 2026

Between:

Nellimarla Jute Mills Company Limited, a company incorporated under the Companies Act, 1913 and having its factory at Post Office-Nellimarla, District Vizianagaram, Andhra Pradesh, Pin-535217 being represented by its authorized signatory, Maddula Venkateswara Rao, son of Late Ramayya Maddula, Aged about 72 years, Residing at 17-1-6/2 Ward No. 20, Grandhi Tirupathi Rao House, Near Maruthi Talkies, Bus Stand Road, Bhimavaram, West Godavari, Andhra Pradesh-534201.

...Petitioner

AND

1. Union of India, service through the Secretary, Ministry of Labour and Employment, Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001.
2. Regional Provident Fund Commissioner-I, having office at Marripelam, NAD Post, Visakhapatnam-530009.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or direction more particularly one in the nature of WRIT OF MANDAMUS

a) direct the Respondent No.2 to grant 72 equal monthly instalments to pay the amount of arrear provident fund contribution of Rs.3,02,80,753/-

(Rupees Three Crore Two Lakh Eighty Thousand Seven Hundred and Fifty Three) only as determined by the respondent No. 2 vide his order dated October 29, 2025 under Section 7A of the said Act of 1952 in terms of the Circular dated February 11, 2014 issued by the Employees Provident Fund Organisation

b) direct the Respondent No.1 to pay the approved enhanced rate of B. Twill Jute Bags supplied by the petitioner company to the Government agencies with retrospective effect forthwith

c) A writ of or in the nature of Prohibition do issue forbearing the Respondents and/or its men, agents and employees from giving any effect and/or further effect to any recovery proceedings against the petitioner company that may be initiated under the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 in terms of the said order dated October 29, 2025 passed by the Respondent No.2 under Section 7A thereof in any manner whatsoever till the disposal of the instant application

d) Direct the Respondents to certify and transmit to this Honble Court the records of the impugned proceedings particularly those relating to the said order dated, October 29, 2025 passed by the Respondent No.2 under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 so that the same may be quashed and/or conscionable justice may be done to them;

IA NO: 1 OF 2026:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents and/or their men, agents and employees to restrain them from giving any effect and/or further effect to any recovery proceedings against the petitioner company that may be initiated under the provisions of the Employees' Provident

Funds and Miscellaneous Provisions Act, 1952 in any manner whatsoever till the disposal of the any application, pending disposal of WP.No.3755 of 2026, on the file of the High Court.

IA NO: 2 OF 2026:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents or their men, agents and employees not to take any coercive measures against the petitioner company in pursuance to and in terms of the said order, dated October 29, 2025 or any orders that may be passed under Sections 7Q and 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, pending disposal of WP.No.3755 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Venkata Durga Rao Anantha, Advocate for the Petitioner and Additional Solicitor General for Respondent No.1 and Sri N.Srinivasa Rao, Advocate for Respondent No.2, the Court made the following;

ORDER:

Heard Sri Shakeel Mahamad Akhter, learned senior counsel appearing on behalf of the petitioner and Sri Pelleti Rajesh Kumar, learned Central Government Counsel for respondent No.1.

Learned counsel for the petitioner is permitted to take out personal notice on the respondent No.2 through Speed Post/RPAD and file proof of the same before the Registry within a period of three (3) weeks.

Learned counsel for the petitioner submits that a letter was addressed to respondent No.2, expressing the petitioner's willingness to furnish a revolving bank guarantee and post-dated cheques in terms of Circular No.RRC/28(23)06/BIFR/23781 dated

11.02.2014 issued by the Employees' Provident Fund Organisation, within 48 hours of approval for granting 72 instalments to liquidate the provident fund dues. Pursuant thereto, no response was received from the respondent authorities; however, at the same time, a prohibitory order was issued under Section 88/8F of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, for attachment.

In view of the aforesaid facts and circumstances of the case, since the petitioners are willing to pay the dues in 72 instalments, there shall be an interim suspension of the prohibitory order dated 08.01.2026 vide No.GR/VSP/2/CC-61/8F/2026, for a period of four (4) weeks.

List the matter after three (3) weeks.

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

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To,

1. The Secretary, Union of India, Ministry of Labour and Employment, Government of India, Shram Shakti Bhawan, Rafi Marg, New Delhi-110001.
2. The Regional Provident Fund Commissioner-I, having office at Marripelam, NAD Post, Visakhapatnam-530009. (Addressee Nos. 1 & 2 by RPAD)
3. One CC to Sri. Venkata Durga Rao Anantha, Advocate [OPUC] ✓
4. One CC to Additional Solicitor General, High Court of AP [OPUC] ✓
5. One spare copy

HIGH COURT

SRK,J

DATED:10/02/2026

LIST THE MATTER AFTER THREE (3) WEEKS

ORDER

WP.No.3755 of 2026

INTERIM SUSPENSION

