

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No. 23880 OF 2011

ORDER:

This Writ Petition is filed by the petitioner seeking a writ of *mandamus* declaring the impugned circular bearing No. Coord/4(6)2003/Clarification/Vol-II/7394 dated 23-05-2011 and consequent issue of summons No. AP/RO/HYD/63882/C-III/T-4/2011/456 dated 03-06-2011 including the proceedings under Section 7-A of the Employees' Provident Fund and Miscellaneous Provisions Fund Act, 1952 (for short, 'the Act'), of respondent No. 1 are illegal and for consequential orders thereon.

2. When the matter came up for hearing, learned counsel for the respondents would argue that in view of the order under Section 7-A of the Act is amenable for appeal under 7-I of the Act, the petitioner ought to have pursued the alternative and efficacious remedy that is available to him instead of filing the Writ Petition and therefore, the Writ Petition may be dismissed.

3. Learned counsel for the petitioner has requested to pass order giving liberty to the petitioner to approach the appellate authority constituted under the statute.

4. In that view, this Writ Petition is closed giving liberty to the petitioner to approach the concerned appellate authority constituted under the Act within four (4) weeks from the date of this order. Pending miscellaneous petitions, if any, shall stand dismissed in consequence.

24-08-2018.
JSK

U.DURGA PRASAD RAO, J.