



W.P(MD)No.27046 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27046 of 2022

and

W.M.P.(MD)No.21210 of 2022

M/s.Pakkir Mohamed Abdul Kafoor,
Through its Proprietor,
Abdul Kafoor.

... Petitioner

Vs.

The Assistant Provident Fund Commissioner/
Employees Provident Fund Organization,
District Office, Natham Road,
Bava Lodged, Dindigul.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of of Certiorarified Mandamus, calling for the records from The Assistant Provident Fund Dindigul, and impugned order passed by the respondent made in TN/MD/MDU/DO/DGL/Compliance/1587857/2022, dated 18.10.2022 and quash the same as illegal and directing the respondent to entertain the review application filed by the petitioner u/s 7(B)(1) of the EPF Act.

For Petitioner : Mr.B.Kumaresan,
For Mr.C.G.Pethanaraj

For Respondent : Mr.V.S.Karthi,
Standing Counsel.



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ORDER

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Heard the learned counsel for the writ petitioner and the learned standing counsel for the respondent organization.

2.The petitioner is an assessee covered by the provisions of Employees' Provident Funds and Miscellaneous Provisions Act, 1952. He suffered an order under Section 7A of the Act. Aggrieved by the same, the petitioner filed a review petition. It was rejected by the impugned order dated 18.10.2022. Challenging the same, the present writ petition has been filed.

3.After hearing the learned counsel on either side, I am of the view of that the impugned order has to set aside only on the ground that it is not elaborate. The authority could have referred to the contentions advanced by the petitioner in his review petition and thereafter given a disposal. In matters of this nature, the authority will have to pass a detailed order. I will not call the impugned order as non-speaking order. I only remark that it should contain better particulars.



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4.In this view of the matter, the impugned order is set aside and remanded to the file of the respondent. The petitioner shall appear before the respondent. The respondent shall hear the petitioner and thereafter pass an appropriate order on merits and in accordance with law.

5.The writ petition is allowed on these terms. No costs. Consequently, connected miscellaneous petition is closed.

30.11.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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