



W.P.Nos.5217 & 5219 of 2020  
and W.M.P.Nos.6163, 6164 & 6166 of 2020

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

W.P.Nos.5217 & 5219 of 2020  
and W.M.P.Nos.6163, 6164 & 6166 of 2020

Scripture Union & CSSM Council of India,  
No.27, First Main Road,  
United India Nagar, Ayanavaram,  
Chennai - 23

Represented by its Secretary,  
Rev.Dr.R.C.Ghunakumar

... Petitioner in both W.Ps  
Vs.

1.The Regional Provident Fund Commissioner -I,  
Regional Office,  
No.37, Royapettah High Road,  
Chennai - 14.

2.The Regional Provident Fund Commissioner -II,  
Regional Office,  
No.37, Royapettah High Road,  
Chennai - 14. ... Respondents in W.P.No.5217/2020

1.The Regional Provident Fund Commissioner -II,  
Regional Office,  
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Chennai - 14.



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2.The Manager,  
Indian Bank,  
Kellys Branch,  
6, Harleys Road, Kellys, Chennai - 10.

3.The Manager,  
State Bank of India,  
Ayanavaram Branch,  
27, 1st Main Road, United India Nagar,  
Ayanavaram, Chennai - 23. ... Respondents in W.P.No.5219/2020

**Prayer in W.P.No.5217/2020 :** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to pass orders on the representation made by the petitioner dated 03.06.2019 before the first respondent.

**Prayer in W.P.No.5219/2020 :** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the first respondent connected with the order No.CHN-1/TN-1570719/Div.24/Enf/2019 dated 31.05.2019 made in the proceedings under Section 7-A of the Employees Provident fund and Miscellaneous Provisions Act and quash the same.

**In W.P.No.5217/2020 :**

For Petitioner : Mr.Sai Prasad  
For Respondents : Mr.T.R.Sundaram

**In W.P.No.5219/2020 :**

For Petitioner : Mr.Sai Prasad  
For RR1 & 2 : Mr.T.R.Sundaram



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### **COMMON ORDER**

These writ petitions are filed against the orders dated 31.05.2019 passed by the second respondent under Section 7A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (In short "EPF & MP Act"). According to the writ petitioner, the orders passed under Section 7A of the EPF & MP Act was in violation of principles of natural justice as the amount determined in the order is totally erroneous.

2.Mr.Sai Prasad, learned counsel for the writ petitioner would contend that after passing of the Award the writ petitioner filed a review petition before the concerned authorities i.e. the first respondent and the same has not been entertained till date.

3.Per contra, Mr.T.R.Sundaram, learned counsel for the respondents would contend that since there is an appeal provision under Section 7-I of the EPF & MP Act, the writ petitioner can very well avail the same.



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4. It is settled law that when an alternate remedy of appeal is available in the Act, the writ Courts normally should refrain from exercising its jurisdiction in adjudicating the matter. It is the contention of the writ petitioner that though he filed the review petition, the same has not been considered by the second respondent. In any event, he can file an appeal before the concerned authorities under Section 7-I of the EPF & MP Act, if so advised, within a period of two weeks from the date of receipt of a copy of this order/uploading of the order.

5. With the above observation, these Writ Petitions are closed.  
No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

**28.11.2023**

Index: Yes/No  
Internet: Yes/No  
Speaking/Non-Speaking order  
mtl



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**R. HEMALATHA, J.**

mtl

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