



**W.P(MD)No.13080 of 2016**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 19.10.2024**

**CORAM :**

**THE HON'BLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.13080 of 2016**

**and**

**W.M.P.(MD)No.9857 of 2016**

Hussain Sahib

... Petitioner

**Vs**

1. The Regional Provident Fund Commissioner,  
Sub Regional Office,  
Water Tank Road,  
Nagercoil- 629 001,  
Kanyakumari District..

2. The Branch Manager,  
The Federal Bank,  
Polayathodu,  
Kerala State.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to dispose the review Petition, dated 27.06.2016, which was received on 08.07.2016, within a stipulated time fixed by this Court.



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For Petitioner : Mr.T.Selvakumaran  
For R1 : Mr.J.S.Murali  
Standing Counsel  
For r2 : No Appearance

## **ORDER**

This Writ Petition has been filed seeking a direction to the first respondent to dispose the review Petition, dated 27.06.2016, which was received on 08.07.2016.

2.The petitioner has filed a review petition on 27.06.2016 as against the order passed under Section 7A of the Employees' Provident Funds and Miscellaneous Provisions Act before the first respondent and the same has not been considered therefore, this petition has been filed.

3.It appears that the order of assessment was passed under Section 7A of the Act by the authority on 12.05.2016 in file No.TN/NGL/31132/circle 31/Enf./2016. The authority has assessed the contribution liable to be paid as Rs.15,76,876/-.



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4.The case of the petitioner is that he was not provided with an opportunity before passing this assessment order under Section 7A of the Act. Therefore, the petitioner has not preferred any appeal available under Section 7-O of the Act. Any person, if he is aggrieved by an order passed under Section 7A(1) of the Act was also provided a remedy of review under Section 7B of the Act. According to the petitioner, he has filed the review under Section 7B(1) before the authority on 27.06.2016, which was said to be received on 08.07.2016.

5.Though this writ petition is pending from the year 2016, it is not known why the authority has not decided the review application so far. Instead of filing counter affidavit before this Court, the authority ought to have disposed the review application if any filed in time.

6.Therefore, this writ petition is disposed of with a direction to the petitioner to submit a copy of the review application to the authority, within a period of one week from the date of receipt of a copy of this order. The first respondent is directed to decide the review application if any, filed by the petitioner, dated 27.06.2016 received by the authority on 08.07.2016, within a period of twelve weeks from thereon. No costs.



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Consequently, connected miscellaneous petition is closed.

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**19.10.2024**

Internet :Yes  
Index :Yes/No  
NCC :Yes/No

LR

To  
The Regional Provident Fund Commissioner,  
Sub Regional Office,  
Water Tank Road,  
Nagercoil- 629 001,  
Kanyakumari District.



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**B.PUGALENDHI, J.**

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