



WP.(MD)No.16538 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.10.2025

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.16538 of 2023

and

WMP.(MD)No.13828 of 2023

Mohamed Eakieem

... Petitioner

Vs.

1.The Assistant Provident Fund
Commissioner/Recovery Officer,
65A, Water Tank Road,
Nagercoil,
Kanyakumari District.

2.The Enforcement Officer,
EPF Organisation,
65A, Water Tank Road,
Nagercoil, Kanyakumari District.

3.The Branch Manager,
Indian Bank,
Chenbagaramanputhur Branch,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified



WP.(MD)No.16538 of 2023

Mandamus, to call for the records of the impugned order passed by the first respondent under Section 8F of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 in No.TN/NGL/ENF/C32/75083/8F/2023 dated 24.03.2023, quash the same and consequently direct the respondents to consider the review application dated 19.11.2022 submitted by the petitioner under Section 7B of the EPF & MP Act, 1952 within the time limit stipulated by this Court.

For Petitioner	: Mr.J.Malai Raja for M/s.Spicy Law Firm
For R1 & R2	: Mr.Mahaboob Athiff
For R3	: Mr.C.Karthick

ORDER

This writ petition has been filed as against the order of recovery issued by the EPF authority under Section 8F of the Employees Provident Funds and Miscellaneous Provisions Act, 1952[hereinafter referred as 'the Act'].



WP.(MD)No.16538 of 2023

2.The main contention of the petitioner is that as against the impugned order, a review application has been filed under Section 7B of the Act and therefore, recovery order passed by the EPF authority under Section 8F of the Act, without passing an order under Section 7B of the Act is not proper.

3.The learned counsel appearing for the first and second respondents submits that review application filed by this petitioner under Section 7B of the Act was already dismissed on 24.05.2023 and subsequent review application was also dismissed on 02.06.2023.

4.Recording the above submissions, this writ petition is closed with a liberty to the petitioner to workout his remedy by preferring an appeal before the appellate tribunal. No costs. Consequently, connected miscellaneous petition is closed.

17.10.2025

NCC : Yes/No
gns



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