



W.P.(MD).No.17997 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.17997 of 2021

and

W.M.P(MD) No.14863 of 2021

Shri.T.Xavier, President,
M/s.Nethaji Subash Chandra Bose
Ex-Servicemen Welfare Association,
No.120 Vinayagar Street,
Railway Road, Alagappapuram,
Karaikudi – 630 003.

... Petitioner

Vs.

1. The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Government of India, Regional Office,
Bhavishya Nidhi Bhavan,
Madurai – 625 002.

2. The Registrar,
Alagappa University,
Karaikudi – 630 003.

3. The Branch Manager,
State Bank of India,
Karaikudi Town,
SPK Corporate Centre,
45, Shanmugaraja Road,
Karaikudi – 630 002.

... Respondents



W.P.(MD).No.17997 of 2021

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the entire records connected with the impugned order passed by the first respondent in Diary No.317/2019 File No.MD/MDU/97211/7A Inquiry/ 2021-2022, dated 12.07.2021 and quash the same and forbear the first respondent from initiating any recovery proceedings against the petitioner in guise of the impugned order in Diary No.317/2019 File No.MD/MDU/ 97211/7A Inquiry 2021-2022, dated 12.07.2021 from the petitioner.

For Petitioner : Mr.K.K.Kannan

For R1 : Mr.John Xavier

For R2 : Mr.T.Cibichakkraborthy

For R3 : Mr.S.Sukumar

ORDER

The present Writ Petition has been filed by the Contractor of the second respondent University challenging the order passed under Section 7-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

2. A perusal of the grounds reveal that the petitioner has questioned the order of the first respondent on merits. The petitioner is having an effective



W.P.(MD).No.17997 of 2021

WEB COPY

alternative statutory appeal remedy under Section 7 – I of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

3. In such circumstances, this Court is not inclined to entertain the Writ Petition. In case, if an appeal is presented on or before **20.08.2025**, the appellate authority is directed to entertain the appeal without any reference to the period of limitation.

4. With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

17.07.2025

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



W.P.(MD).No.17997 of 2021

WEB COPY

To

1. The Assistant Provident Fund Commissioner,
Employees Provident Fund Organisation,
Ministry of Labour and Employment,
Government of India, Regional Office,
Bhavishya Nidhi Bhavan,
Madurai – 625 002.
2. The Registrar,
Alagappa University,
Karaikudi – 630 003.
3. The Branch Manager,
State Bank of India,
Karaikudi Town,
SPK Corporate Centre,
45, Shanmugaraja Road,
Karaikudi – 630 002.



WEB COPY



W.P.(MD).No.17997 of 2021

R.VIJAYAKUMAR,J.

ebsi

W.P(MD)No.17997 of 2021

17.07.2025