

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 30.06.2016****CORAM****THE HONOURABLE MR.JUSTICE T.RAJA****W.P (MD) No.7248 of 2014****WEB COPY**

S.Thangeswaran

.. Petitioner

vs.

1.The Central Provident Fund Commissioner,
EPF Organisation,Hudco Vishala Building
14,Behaji Cama Place,New Delhi.
2.The Regional Provident Fund Commissioner,
EPF Organisation,37,Royapettah High Road,
Royapettah,Chennai.
3.The Regional Provident Fund Commissioner,
EPF Organisation,Lady Doak College Road,
Madurai.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of Mandamus, directing the respondents to rectify the erroneous calculations made by them in the calculation of the pensionable period of service of the petitioner and the pensionable salary and the present quantum of his monthly pension amount and to consequently revise the pensionable period of his service and pay him the enhanced monthly pension amount of Rs.12,685/- with arrears according to such rectified and revised calculation of the period of service.

For Petitioner :Mr.A.Rajaram
For Respondents :No appearance

ORDER

The petitioner S.Thangeswaran has come to this court seeking issuance of a Mandamus, to direct the respondents to rectify the erroneous calculations made by them in the calculation of the pensionable period of service of the petitioner and the pensionable salary and the present quantum of his monthly pension amount and to consequently revise the pensionable period of his service and pay him the enhanced monthly pension amount of Rs.12,685/- with arrears according to such rectified and revised calculation of the period of service.

2. The petitioner is a senior citizen, aged 75 years. He was employed as foreman in Madras Aluminium Company Limited and Tamilnadu Minerals Limited(TAMIN). He retired on 30.09.2003 A.N. In his representation, he has claimed that he has put in 34 years of service both in the Madras Aluminium Company Limited and also Tamilnadu Minerals Limited. However, at the time of his



retirement, instead of calculating his entire pensionable service of 34 years, the respondents have calculated only 19 years by mistake. Resultantly, since his pension and other benefits have been considerably reduced, he has given a representation to the first respondent to calculate both services. As there was no response, the petitioner is before this Court for the above said relief.

3. Heard Mr.A.Rajaram, learned counsel appearing for the petitioner and perused the materials on record. Despite service of notice on the respondents, there is no representation on their behalf. Even on the last occasion also, there was no representation for the respondents.

4. Considering the fact that the petitioner's representation dated 20.11.2013 sent to the first respondent, which has been forwarded to the second respondent with a direction to redress the grievance of the petitioner is pending with R2 for a long time, this Court directs the second respondent to consider the said representation and pass appropriate orders thereon, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. Accordingly, this writ petition stands disposed of. No Costs.

Sd/-

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

- 1.The Central Provident Fund Commissioner,
EPF Organisation, Hudco Vishala Building
14, Behaji Cama Place, New Delhi.
- 2.The Regional Provident Fund Commissioner,
EPF Organisation, 37, Royapettah High Road,
Royapettah, Chennai.
- 3.The Regional Provident Fund Commissioner,
EPF Organisation, Lady Doak College Road,
Madurai.

pjl

+1cc to Mr.A.Rajaram, Advocate in SR.No. 34331
JA-AAL-MPA-21/7/2016/2P:5C

W.P. (MD) No.7248 of 2014