



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2016

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.21921 of 2016

1.P.Kulanthaisamy

2.S.Robert

3.S.Jeyaseelan

4.S.A.Arockiasamy

5.C.Thangavelu

6.S.Kirupakaran

7.A.Imanuvel

8.S.Natarajan

9.S.B.Siman

10.A.Alexander

: Petitioners

Vs.

1.The Director (Pension),
259, Anna Salai,
3rd Block 2nd Floor,
DMS Complex,
Teynampet, Chennai - 6.

2.The Divisional Engineer (H),
Construction and Maintenance,
Highways Department,
Pudukottai.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to release the Provident Fund to the respective petitioners based on the final proceedings in Ka.No.1870/2011/B2 dated 02.07.2015 on the file of the second respondent herein.

For Petitioners

: Mr.RM.Arun Swaminathan

<https://hcservices.ecourts.gov.in/hcservices/>

: Mr.M.Murugan,

Government Advocate.



O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to release the Provident Fund to the respective petitioners based on the final proceedings in Ka.No.1870/2011/B2, dated 02.07.2015 on the file of the second respondent.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate, who took notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3. The brief facts leading to the filing of this writ petition are as follows:

The father of the first petitioner namely Pitchaimuthu worked as Carpenter in the Tamil Nadu Government Highways Workshop Department. He retired from service on 06.05.1996 and later on he died on 20.10.1984. Similar employees of the said Department also retired from the service between 1984-2000. Subsequently, the Department has been closed by the Tamil Nadu Government. After retirement, the respondents did not provide the provident fund amount to each of the petitioners. All the petitioners reached the age of 75 years and they are fighting for getting their own provident fund amount. At this juncture, the first petitioner sent so many representations. Based on the representation, the second respondent has forwarded the claim petition to the first respondent. But till date, the first respondent has not released the provident fund amount to the petitioners. Therefore, this writ petition has been filed.

4. The learned counsel for the petitioners would submit that the first respondent has already released the provident fund amount to six retired persons, who worked in the very same department, namely, Tamil Nadu Government Highways Workshop Department, by the proceedings, dated 23.12.1993.

5. The learned Government Advocate appearing for the respondents would submit that already by the proceedings dated 02.07.2015, the second respondent has sent recommendation to the first respondent for taking early steps to disburse the provident fund amount to the petitioners.

6. Under such circumstances, the first respondent is directed to consider the representation of first petitioner dated 15.10.2012 and the claim of the petitioners 2 to 10, in the light of the proceedings of the second respondent dated 02.07.2015 and <https://hdservicepepus.gov.in/dsrmis/> on merits and in accordance with law, within a period of three weeks, from the date of receipt of a copy of this order.



7. With the above direction, this writ petition is disposed of.
No costs.

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/True copy/

Sd/-

Assistant Registrar(RTI)

Sub Assistant Registrar

To

1. The Director (Pension),
259, Anna Salai,
3rd Block, 2nd Floor,
DMS Complex,
Teynampet, Chennai - 6.

2. The Divisional Engineer (H),
Construction and Maintenance,
Highways Department,
Pudukottai.

+1cc to MR.RM.Arun Swaminathan, Advocate Sr.No.69943

smn

sm:ss 3:05/12/2016:3P/4C

ORDER MADE IN
W.P (MD) No.21921 of 2016
17.11.2016