

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE NOOTY. RAMAMOHANA RAO
and
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.A.No.1140 of 2011
and M.P.No.1 of 2011

1. The Union of India,
Rep. by its Secretary,
Ministry of Labour,
Shram Mantralaya,
New Delhi.
 2. Provident Fund Commissioner (Pension)
Employees Provident fund Organisation,
Head Office, Bhavishya Nidhi Bhavan
14, Bhikaji Cama Place,
New Delhi - 110 066
 3. Regional Provident Fund Commissioner (Pension)
No. 20, Royapettah High Road,
Chennai-14
 4. Assistant Provident Fund
Commissioner (Pension)
No. 10, A/3, St. Thomas Road,
High Ground, Thirunelveli- 627 011.
- ... Appellants/Respondents

Vs.

S.Kandasamy

.. Respondent/Petitioner

Writ Appeal has been filed under Clause 15 of the Letters Patent to set aside the order dated 19.07.2010 made in W.P.No. 23241 of 2002 on the file of this Hon'ble Court.

W.P.23241 of 2002:

Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus ,calling for the records of the respondents and quash the letter No.R.15025/01/99/SS 11 dated 10.5.1999 of the first respondent communicated to the petitioner by the 3rd respondent in his letter No.Tn/Ro/CNI/Rc pension2(1)2000/Part IV dated 14.9.2001 and direct the rrespondent especially the ,4th respondent to pay

the petitioner the pension at the rate of Rs.857 as provided in Paragraph 12(5) of the Employee's Pensions Scheme 1995 with effect from 18.10.2000 with interest and damages within a stipulated time.

For Appellants : Ms.V.J.Latha
For Respondent : Mr.Ajoy ghose

JUDGMENT

[Judgment of the Court was made by NOOTY. RAMAMOHANA RAO , J.]

This appeal is preferred by the Union of India and also by the Regional Provident Fund Commissioner (Pension), New Delhi, Regional Provident Fund Commissioner (Pension) Chennai, Assistant Provident Fund Commissioner (Pension), Thirunelveli.

2. It is directed against the order dated 19.07.2010 rendered by a learned Single Judge of this Court who heard batch of writ petitions.

3. It is today represented before us that the cause in this appeal does not survive for further adjudication, in view of the amendment made to para 12 of the Employee Pension Scheme, 1995.

4. Hence, recording the said submission made by the learned counsel for the appellants this writ appeal is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

kk/bsm

1. The Secretary,
Union of India
Ministry of Labour
Shram Mantralaya, New Delhi.
2. The Provident Fund Commissioner of Pension
Employees Provident fund Organisation
Head office, Bhavishya Nidhi Bhavan
14, Brikaji Cane Place, New Delhi 110 066.

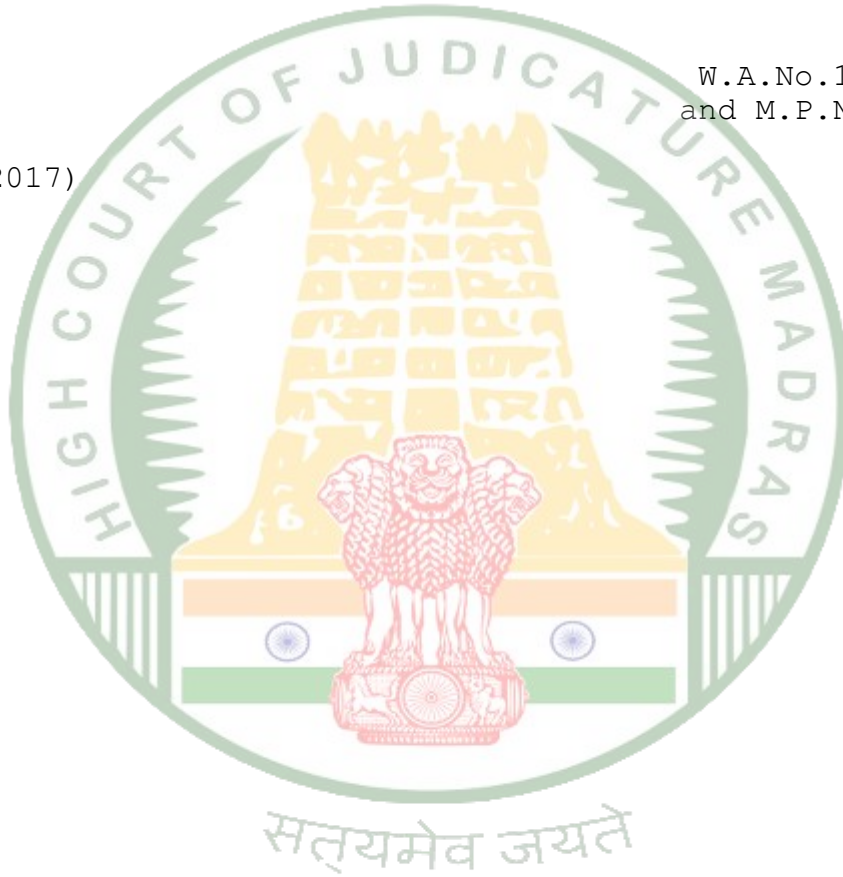
3. The Regional Provident fund Commissioner(Pension)
No 20, Royapettah High Road, Chennai 14.

4. The Assistant Provident fund
Commissioner(Pension) No 10,
AIB, St Thomas Road
High Ground, Tirunelveli 627 001.

+1 CC to Ms. V.J. Latha, Advocate sr 46969

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SP(29/07/2017)



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