

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.08.2018

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.18028 of 2008

- 1.S.Mohamed Sulaiman
- 2.Kuppammal
- 3.Banumathy
- 4.E.Jamal
- 5.Indirani
- 6.S.Adhimoolam
- 7.P.Perumal
- 8.Muthuammal
- 9.S.Periasamy
- 10.E.Appadurai
- 11.Muthulakshmi
- 12.A.Mayandi
- 13.I.Ramu

.... Petitioners

Vs.

1. The Zonal Manager,
Food Corporation of India,
No.2, Haddows Road,
Chennai-600 006.
2. The Regional Manager,
Food Corporation of India,
Greems Road,
Chennai - 600 006.
3. The District Manager,
Food Corporation of India,
Sathya Murthy Road,
Chetpet Godown,
Chennai-600 014.
4. The REGIONAL PROVIDENT FUND
COMMISSIONER, OFFICE OF REGIONAL
PROVIDENT FUND COMMISSIONER, 20,
ROYAPETTAH HIGH ROAD, CHENNAI -14.

... Respondents

This Writ Petition filed has been filed for issuance of a Writ of Mandamus directing the respondents to comply with all formalities and to implement and pay the monthly pension to the petitioners either under Employees Pension Scheme, 1995 or under any other alternative pension in lieu of the same as Central Government Pension.

For Petitioners: Mr.R.Krishnan for P5, P6, P9 and P19
M/s.C.S.Associates for P1 to P4, P7, P8 and
P11 to P13
For Respondents: Mr.R.Vignesh Kumar for R1 to R3
No appearance for R4

O R D E R

This writ petition has been filed to direct the respondents to implement the Employees Pension Scheme, 1995.

2.The learned counsel for the petitioners drew the attention of this Court vide Circular No.EP.39(5)/99 dated 17.02.2004. The said circular had been issued pursuant to final wording passed on 11.11.2003 by the Hon'ble Supreme Court upholding the employment pension scheme.

3.The learned counsel for the petitioner further mentioned that many of the petitioners might have retired since the filing of the writ petition.

4.The learned counsel for the respondents 1 to 3 informed that he would filed counter and therefore seeks time.

5.Having gone through the affidavit and the circular, there is no point to adjourn the case and the writ petition is taken for final disposal.

6.Prima facie, it appears that the circular is in favour of the petitioners for bringing the purview of the Employment Pension Scheme, 1995. The respondents are directed to implement the said scheme if the employees are otherwise eligible for the pension scheme. The respondents are directed to pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

7.In view of the above circular, this writ petition is allowed. No costs.

ia

Sd/-

Assistant Registrar(CS IV)

// True Copy//

Sub Assistant Registrar

TO

1. The Zonal Manager,
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Chennai-600 006.

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Chennai - 600 006.

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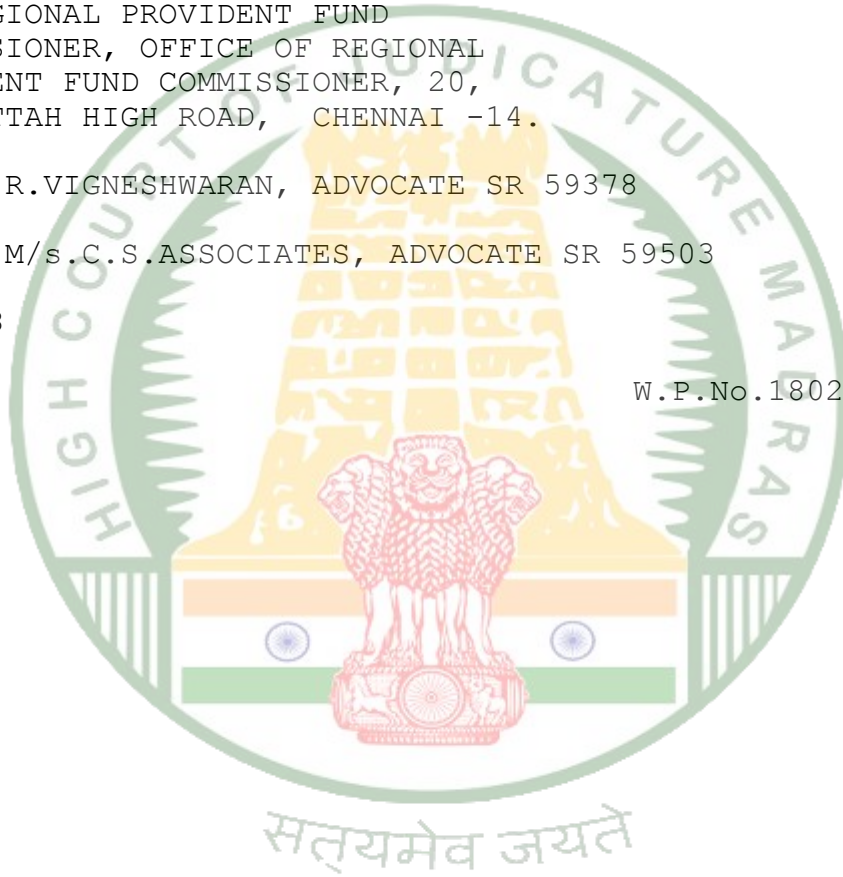
4. The REGIONAL PROVIDENT FUND
COMMISSIONER, OFFICE OF REGIONAL
PROVIDENT FUND COMMISSIONER, 20,
ROYAPETTAH HIGH ROAD, CHENNAI -14.

+ 1 CC TO R.VIGNESHWARAN, ADVOCATE SR 59378

+ 1 CC TO M/s.C.S.ASSOCIATES, ADVOCATE SR 59503

KR/4/10/18

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