



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.06.2018
CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P. (MD) No.12760 of 2018

B.Dhanasekaran,
S/o.Baskaran,
Secretary (VRS),
Q 1220 Pudupatti Primary Agricultural
Co-operative Credit Society,
2/288, B 10, Pandian Street,
Paramakudi 623 707,
Ramanathapuram District.

: Petitioner

Vs.

1. The Additional Central Provident
Fund Commissioner (Pension),
Employees Provident Fund Organisation
(Ministry of Labour and Employment),
Government of India,
Bhavishya Nidhi Bhavan,
14 Bhikaji Cama Place,
New Delhi - 110 066.

2. The Provident Fund Commissioner,
Regional Employees Provident Fund Organisation,
Lady Doak College Road,
Madurai - 625 002.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent herein to disburse the petitioner's full monthly pension on the basis of petitioner's representation dated 11.12.2017, in the light of the Judgment of the Hon'ble Supreme Court in S.L.P.Nos.10013 to 10014 of 2016, within the time stipulated by this Court.

For Petitioner : Mr.C.Jeganathan,
For M/s.Veera Associates
For Respondent No.1 : Mr.P.Dharmaraj, Standing Counsel

ORDER

The petitioner is a pensioner and he is entitled to EPF pension under the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. The issue with regard to



payment of the full monthly pension was the subject matter of Civil Appeal Nos.10013 - 10014 of 2016, which were decided in favour of the pensioners. When an information was sought for under the Right To Information Act, 2005, the second respondent has also given an information dated 23.03.2018 that the judgment is applicable to the RTI applicant and on submission of monthly returns along with joint declaration by the employer, pension is payable to RTI applicant. Now, the petitioner approaches this Court for disposal of his representation dated 11.12.2017, in the light of the judgment of the Hon'ble Supreme Court in Civil Appeal Nos.10013 - 10014 of 2016.

2. Considering the limited scope of the prayer sought for by the petitioner in the present Writ Petition, a direction is issued to the second respondent to consider and dispose of the representation given by the petitioner dated 11.12.2017 on merits and in accordance with law and also in the light of the judgment of the Hon'ble Supreme Court in Civil Appeal Nos.10013 - 10014 of 2016, within a period of two months from the date of receipt of a copy of this order.

3. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

+1cc to M/s.Veera Associates, Sr.No.68495
Sml
MK/JC/SAR 3/27.06.2018/2P/2C

Order made in
W.P. (MD) No.12760 of 2018
Dated: 14.06.2018