



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.16927 of 2018

V.Britto

... 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

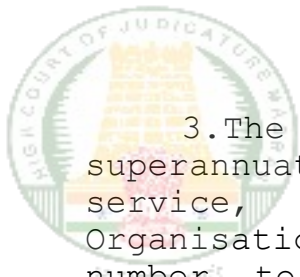
Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent herein to disburse his full monthly pension on the basis of his representation dated 29.06.2018 in the light of the judgment of the Hon'ble Supreme Court in S.L.P.No.10013 and 10014/2016 within the time stipulated by this Court.

For Petitioner : M.C.Jeganathan
For Respondents : Mrs.S.Srimathy, Spl.G.P.

O R D E R

The prayer sought for in this writ petition is for a Writ of Certiorarified Mandamus, directing the 2nd respondent herein to disburse his full monthly pension on the basis of his representation dated 29.06.2018 in the light of the judgment of the Hon'ble Supreme Court in S.L.P.No.10013 and 10014/2016 within the time stipulated by this Court.

2.Heard Mr.C.Jeganathan, learned counsel appearing for the petitioner and Mr.Venkateshwaran, learned standing counsel appearing for the respondents.



3.The petitioner was working as Secretary of Society and on superannuation, he retired from service on 30.04.2016. During his service, he joined in Regional Employees Provident Fund Organisation, Madurai and EPFO had accepted the requisition and gave number to the petitioner as 037543. After retirement, the petitioner has been allowed to draw only a sum of Rs.2,540/- as monthly pension. However, it is the grievance of the petitioner that the petitioner is entitled to get higher pension incommensurate with his salary and therefore, in this regard, the petitioner had given a representation to the respondents, especially, the second respondent on 29.06.2018 and if the said representation is directed to be considered and an order is directed to be passed, on merits and in accordance with law, within a time frame, that may be stipulated by this Court, this petitioner would be satisfied.

4.I have heard the learned standing counsel appearing for the respondent, who would seek longer time to dispose the representation given by the petitioner, on merits and in accordance with law.

5.In view of the limited scope of the writ petition, by taking into account the submissions made by both sides, this Court is inclined to pass the following order:

"The second respondent is directed to consider the representation of the petitioner dated 29.06.2018 and pass orders thereon, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order."

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

Sd/-

Assistant Registrar(WRITS)

/True Copy/

Sub Assistant Registrar(CS-IV)

Arul

+lcc to M/s.Veera Associates, SR No.76134

W.P(MD)No.16927 of 2018

NM/SKN/SAR IV/23.10.18/2P/2C.