

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 31.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.16928 of 2018****WEB COPY**

S.Jeevanatham

... Petitioner

vs.

1. The Additional Central Provident
Fund Commissioner, (Pension)
Employees Provident Fund
Organization (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 Organization
Lady Doad College Road
Madurai 625 002

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the second respondent herein to disburse the petitioner's full monthly pension on the basis of the petitioner's representation dated 27.05.2018 in the light of the Judgment of the Hon'ble Supreme Court in S.P.L.No.10013 to 10014/2016 within a stipulated time.

For Petitioner : Mr.C.Jeganathan
For Respondents : Mr.V.S.Venkateshwaran

O R D E R

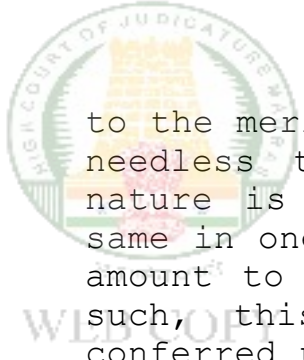
Mr.V.S.Venkateshwaran, learned counsel, takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 27.05.2018 seeking for disbursement of full monthly pension, in the light of the Judgment of the Honourable Supreme Court in S.L.P.Nos.10013 & 10014 of 2016, has not been considered by the respondents till date and therefore, he has filed the present writ petition.

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

4. This Court has not expressed any of its view with regard



to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 27.05.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

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2. The Provident Fund Commissioner
Regional Employees Provident Fund Organization
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+1cc to M/S.VEERA ASSOCIATES, Advocate SR.No.76135
Krk
MK/MMS/SAR 1/10.08.2018/2P/4C

W.P. (MD) No.16928 of 2018
31.07.2018