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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.11.2019
CORAM
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
W.P.No.44999 of 2002 &
W.P.No. 4119 of 2004

W.P.No. 44999 of 2002

The Tamil Nadu Electricity Board
Pensioner's Welfare Organisation
Rep. by its General Secretary,
No.27, Mosque Street, Chempauk,
Chennai - 600 005.

... Petitioner

-Vs-

1. Union of India,
Rep. by Secretary, Ministry of Labour,
Shram Mantralay, New Delhi.
2. The Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office,
No.20, Royapettah High Road,
Chennai - 600 014.
3. The Tamil Nadu Electricity Board,
by its Chairman,
No. 800, X Floor, K.R.R. Maligai,
Anna Salai, Chennai - 600 002.
4. The Chief Internal Audit Officer,
Tamil Nadu Electricity Board,
K.R.R. Maligai, N.800,
Chennai - 600 002.

... Respondents in W.P.No.44999 of 2002

Prayer in W.P.No.44999 of 2002: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 to produce the records pertaining to the contribution provident fund subscription towards the Family Provident Fund Scheme 1971 of the members of the petitioner organisation and refund the same with interest from 1.7.1986 with interest.



W.P.No. 4119 of 2004

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Federation of TNEB Pensioners
Association rep. by its
General Secretary,
2/65A, VMR Nagar, Salem - 636 004.

...Petitioner

Vs.

1. The Regional Provident Fund,

Commissioner II PGMS,
Regional Office,
37, Royapettah High Road,
Madras - 14.

2. Tamil Nady Electricity Board,
rep. by the Chairman,
800, Anna Salai,
Madras - 4.

...Respondents

Prayer in W.P.No.4119 of 2004: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to disburse the subscribed family pension amount with interest calculated from 1.7.1986 to the members of the petitioner Association forthwith.

For petitioner : Mrs.V.Pushpa
[W.P.No.44999 of 2002]

For petitioner : Mrs. R.Meenal
[W.P.No.4119 of 2004]

For Respondents : R1- No appearance
[W.P.No.44999 of 2002]
Mr.K.Ramu [R2]
Mr.Anand Gopalan
for M/s. T.S.Gopalan [RR3 & 4]

For Respondents : Mr.K.Ramu [R1]
[W.P.No.4119 of 2004]
Mr.Anand Gopalan
for M/s. T.S.Gopalan [R2]



COMMON ORDER

The relief sought for in these writ petitions is for a direction to direct the respondents to disburse the subscribed family pension amount with interest calculated from 01.07.1986 to the members of petitioner's association.

2. The grievance of the writ petitioner's association is that the pension/contribution, as admissible under the provisions of the scheme, has not been paid to its members. Large number of eligible persons, though receiving pension, are unable to get contributions paid under the Family Pension.

3. In view of the fact that the grievance of the writ petitioner's association is pending for a long period, this Court has passed an order on 01.11.2019 to have a joint committee meeting with the officials of the Employees Provident Fund Organisations as well as the Tamil Nadu Electricity Board. Pursuant to the direction, meeting was conducted and it is relevant to extract the following:

"The members of the pensioners association further raised the issue that it would be difficult for them to now contact the pensioners who are scattered in different parts of Tamil Nadu and sought assurance from the RPFC that if such claims are received, it shall be attended to, as per eligibility. RPFC informed that a decision had been taken in the year 2010 itself that all eligible claims will be settled and the positions still continues. Even if claims are being received in future also, based on verification conducted by M/s. TNEB and EPFO, if the claimant are found to be made by other PF offices will be called for and forwarded to the petitioners. RPFC further informed that as we are concerned with the claims submitted during the period 2010-2011 by the petitioners of this W.P. Primarily, the information as available in the EPF records from 2010-11 will be furnished immediately. RPFC further requested all the parties to confirm as to whether we can inform the status to the Hon'ble High Court when the matter comes up for hearing on 25.11.2019 and seek disposal of the W.P with a direction on the above lines i.e. Eligible claims, when received by TNEB will be forwarded to the RPFC by TNEB



after verification of records within 30 days and such claims will be processed and settled, if eligible within 30 days from the date of receipt by the RPFC."

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4. In view of the fact that actions are initiated to resolve the issues as expeditiously as possible and the Tamil Nadu Electricity Board also agreed to co-operate for the early settlement of the dues, this Court is of an opinion that as per the minutes of the meeting, all the respondents are bound to redress the grievances of the writ petitioner's Association and its members as expeditiously as possible and without causing any delay.

5. It is made clear that the claims in the prescribed format is to be submitted by the petitioner's Association to the competent authority for enabling the authorities to resolve the issues by redressing the grievances. As regards left out claim, if any, the writ petitioner's Association is directed to submit the same within a period of three months from the date of receipt of a copy of this order. On receipt of any such application in the prescribed format from the petitioner's association, the respondents are directed to redress the grievances as per the terms and conditions stipulated in the minutes dated 15.11.2019.

With this direction, the writ petitions stand disposed of.
No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Ministry of Labour,
Shram Mantralay, New Delhi.



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2. The Provident Fund Commissioner,
Employees Provident Fund Organisation,
Regional Office,
No.20, Royapettah High Road,
Chennai - 600 014.

3. The Chairman,
Tamil Nadu Electricity Board,
No. 800, X Floor, K.R.R. Maligai,
Anna Salai, Chennai - 600 002.

4. The Chief Internal Audit Officer,
Tamil Nadu Electricity Board,
K.R.R. Maligai, N.800,
Chennai - 600 002.

+lcc to M/s.V.Sundareswaran, Advocate sr.98173
+lcc to Mr.K.Ramu, Advocate sr.97816
+lcc to M/s.T.S.Gopalan & Co, Advocate sr.97898
+lcc to M/s.V.Pushpa, Advocate sr.97824

W.P.No.44999 of 2002 &
W.P.No. 4119 of 2004

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nr 20/01/2020