

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07-11-2019

Coram

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.20892 of 2011

Mehboob Basha

.. Petitioner

vs.

The Assistant Accounts Officer,
Officer of the Regional Commissioner PF,
Tamil Nadu and Pondicherry Territory,
Royapettah High Road,
Chennai-14. ... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to consider and pass orders on the representation dated 14.01.2011 made by the petitioner.

For Petitioner : Mr.N.A.Nissar Ahmed

For Respondent : Mr.T.R.Sundaram

ORDER

The relief sought for in the present writ petition is for a direction to direct the respondent to consider the representation submitted by the writ petitioner on 14.01.2011, claiming the benefit of the Provident Fund on account of the death of his father.

2. The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner is the son of the deceased employee, who was employed in the Ordinance Clothing Factory (OCF) at Avadi.

3. The learned counsel appearing on behalf of the respondent, relying on the counter-affidavit, made a submission that the establishment of Ordinance Clothing Factory is a Government of India undertaking establishment. Thus, the Ordinance Clothing Factory is not a covered Unit under the Employees Provident Funds and Miscellaneous Provisions Act, 1952. Therefore, the father of the writ petitioner, namely, the

deceased employee, was not the member of Employees Provident Fund.

4. As far as the terminal and pensionary benefits of the permanent employees of the Ordinance Clothing Factory are concerned, the writ petitioner has to approach the competent authority for the purpose of redressing his grievances. Under these circumstances, the writ petitioner is at liberty to approach the competent authorities of the Ordinance Clothing Factory for the purpose of redressing his grievances.

5. With the abovesaid liberty, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Svn

To

The Assistant Accounts Officer,
Officer of the Regional Commissioner PF,
Tamil Nadu and Pondicherry Territory,
Royapettah High Road,
Chennai-14.

+1cc to Mr.N.A.Nissar Ahmed, Advocate, S.R.No. 92864

+1cc to Mr.T.R.Sundaram, Advocate, S.R.No. 92593

सत्यमेव जयते

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SS (CO)
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