

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 16.10.2020

CORAM:

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.12029 of 2020

M.Myilvaganan

...Petitioner

Vs.

The Regional Provident Commissioner,
Employees Provident Fund Organization,
Bhavishya Nidhi Bhavan,
R-40, TNHB Shopping-cum-Office Complex,
Mugappair East, Chennai - 600 037.

... Respondents

Writ petition filed under Article 226 of Constitution of India praying for issuance of a Writ of Mandamus directing the Respondent to immediately disburse the pension and other benefits due to the petitioner.

For Petitioner : Mr.C.Manohar Gupta

For Respondent : Mr.J.Sathya Narayana Prasad
Standing Counsel

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondent to immediately disburse the pension and other benefits due to the petitioner.

2.In order to get the pension and other benefits from the respondent/ Provident Fund Commissioner, this writ petition with the prayer of mandamus was filed.

3.Today when the case is taken up for hearing, Mr.J.Sathya Narayana Prasad, learned Standing Counsel for the respondent has produced a communication dated 13.10.2020, which reads thus:

"Sub: High Court - WP.No.12029 of 2020 - Shri. M.Myilvaganan - Action taken report - Submitted - Regarding.

The above writ petition viz., WP.No. 12029 of 2020 was filed by Shri.M.Myilvaganan, bearing PF Account No. TN/AMB/65915/2013 towards grant of Pensionary benefits under Employees' Pension Scheme, 1995.

It is submitted that, the delay happened in processing the petitioner's pension claim at the Respondent's office is for the reasons that non-

availability of service particulars for the service rendered by the member Shri-M.Myilvaganan at M/s HCL Technologies which was maintained at EPFO, RO, Gurugram, Haryana and which is a vital input in assessing the total service rendered by the petitioner and to compute his pensionary benefits.

Further it is submitted that, in order to process the Petitioner's pension claim, this office had made strenuous efforts in obtaining the aforesaid details from EPFO, RO, Gurugram and the desired information was received at the Respondent's office on 06.10.2010. Upon receipt of the service particulars, the same has been included in the Petitioner's last PF Account No. (i.e.) TN/AMB/65915/2013 and his pension claim got processed immediately.

The necessary details related to his pension disbursement are furnished hereunder for your kind information:

Sl.No.	Description	Details
1.	Name of the Pensioner	Shri.M.Myilvaganan
2	PF Account No.	TN/AMB/65915/2013
3.	Pension Payment Order No.	TN/AMB/00237222
4.	Type of Pension	Superannuation Pension
5.	Monthly Pension payable	Rs.2626/-
6.	Arrears Amount payable	Rs.1,22,459/-
7.	Period of Arrears	From 12-Nov-2016 to 30-Sep-2020

The Arrear payment of Rs.1,22,459/- has been processed and sent for crediting into the Petitioner's Bank Account No.30070232628 being maintained at State Bank of India, Ambattur Industrial Estate Branch, Chennai - 600 058 on 13.10.2020.

A copy of the Pension Payment Order (PPO) Numbering TN/AMB/00237222 is submitted herewith. Further it is submitted that a copy of PPO will be sent to the pensioner / petitioner and to the disbursing agency (Bank) shortly and the petitioner will start receiving his monthly pension (i.e.) October month pension in the month of November 2020 onwards.

Hence it is requested that the Hon'ble Court may kindly be apprised of with the above facts during the hearing of the case of 16.10.2020.

Yours faithfully,
[SHAILENDRA SINGH]
REGIONAL P.F. COMMISSIONER-II'

4.While relying upon this communication, the learned Standing Counsel for the respondent would submit that, the entire due payable to the petitioner from the date of commencement i.e., from 12.11.2016 has been completely settled and entire pension payable to the petitioner has been paid and the details to that effect has been stated in the said communication dated 13.10.2020 and the copy of this letter has also been forwarded to the learned counsel appearing for the petitioner.

5.Mr.C.Manohar Gupta, learned counsel appearing for the petitioner also would fairly submit that, today morning only he has received a communication through email and in view of the said communication whereby the settlement made towards the petitioner for the pensionary benefits, as calculated and stated in the said letter dated 13.10.2020, since has been paid and settled, there could be any further issue pending in this writ petition for adjudication.

6.In view of the said statement made by the learned counsel for both sides and by recording the said communication dated 13.10.2020 of the respondent addressed to the petitioner, this Court is inclined to dispose of this writ petition, as the prayer has been accomplished, hence there is no further issue is pending for adjudication. Accordingly, this Writ Petition is disposed of. No costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

Sgl
To

The Regional Provident Commissioner,
Employees Provident Fund Organization,
Bhavishya Nidhi Bhavan,
R-40, TNHB Shopping-cum-Office Complex,
Mugappair East, Chennai - 600 037

W.P.No.12029 of 2020

AJS (CO)
SP(11/11/2020)