

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2020

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.30280 of 2019
and
W.M.P.No.30257 of 2019

1. A.S.Pandian
2. P.Shanmugam
3. M.Arumugam
4. P.Kuppuamy
5. V.Kalaiselvan
6. S.Sugumar
7. S.Bakthavatchalam
8. K.V.Shanmugam
9. Balaraman

... Petitioners

vs

1. The Assistant Provident Fund
Commissioner/Recovery Officer (EPFO)
Provident Fund Organization,
Regional Office,
S-1, TNHB, Phase III
Sathuvacheri,
Vellore - 632 009.
2. The Chengalput District Cooperative Agro
Service Society Ltd. KP (Spl) 173
Rep. by the Special Officer/Liquidator
Office of the Asst.Director of Agriculture,
Panjupettai,
Kancheepuram - 631 502

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus to direct the first respondent herein to settle the accrued Provident Funds in the Provident Fund accounts of the petitioners herein after having apportioned the recovered dues from their parental organization into their respective provident fund account along with the

interest payable as per the provisions of Employees Provident Funds and Miscellaneous Provisions Act 1952 within the time limit that may be stipulated by this Hon'ble Court by considering and passing orders on the representation of the petitioners dated 26.11.2018.

For Petitioner : Mr.N.Ishak

For Respondents: Ms.V.J.Latha,
Standing Counsel for R1
Ms.T.Girija for R2

O R D E R

This Writ Petition is filed seeking for the following relief:

To issue a Writ of Mandamus to direct the first respondent herein to settle the accrued Provident Funds in the Provident Fund accounts of the petitioners herein after having apportioned the recovered dues from their parental organization into their respective provident fund account along with the interest payable as per the provisions of Employees Provident Funds and Miscellaneous provisions Act, 19562, within the time limit that may be stipulated by this Court by considering and passing orders on the representation of the petitioners dated 26.11.2018.

2. According to the petitioners, the 1st respondent has to settle the accrued Provident Fund in the Provident Fund accounts of the petitioners after having apportioned the recovered dues from the parental organization into their respective Provident Fund account along interest. Seeking such relief, the petitioners have made a representation on 26.11.2018. It is stated that the said representation has not been considered so far.

3. Therefore, without expressing any view on the merits of the claim made by the petitioner, this Writ Petition is disposed of by directing the 1st respondent to consider the representation of the petitioners dated 26.11.2018 and pass orders on the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Assistant Provident Fund
Commissioner/Recovery Officer (EPFO)
Provident Fund Organization,
Regional Office, S-1, TNHB, Phase III
Sathuvacheri, Vellore - 632 009.

2. The Special Officer/Liquidator,
Chengalput District Cooperative Agro
Service Society Ltd. KP (Spl) 173
Office of the Asst. Director of Agriculture,
Panjupettai,
Kancheepuram - 631 502

+1cc to M/s.V.J.Latha, Advocate sr.9911

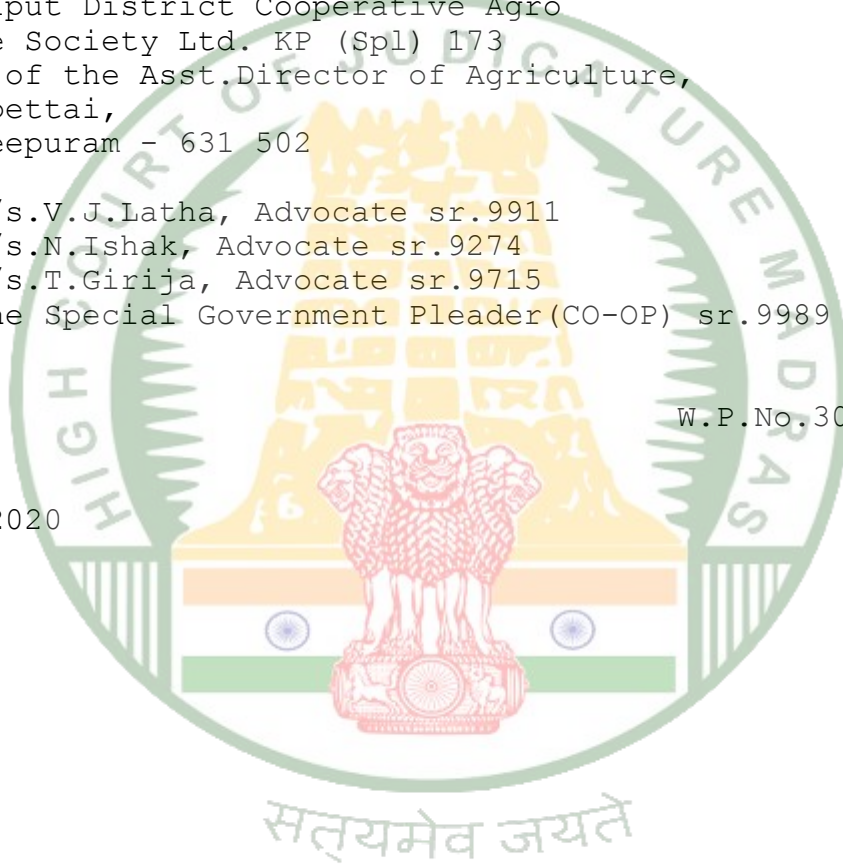
+1cc to M/s.N.Ishak, Advocate sr.9274

+1cc to M/s.T.Girija, Advocate sr.9715

+1cc to The Special Government Pleader(CO-OP) sr.9989

W.P.No.30280 of 2019

vd(co)
nr 03/03/2020



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