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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.32388 of 2019

K.Govindan Kutty @ K.G.Kutty ...Petitioner

-Vs-

1. The Assistant Provident Fund
Commissioner (C&R),
Employees Provident Fund Organisation,
Regional Office,
37, Royapettah High Road,
Chennai 600 014.

2. The Recovery Officer,
Employees Provident Fund Organisation,
Regional Office,
37, Royapettah High Road,
Chennai 600 014.

3. The Regional Manager,
Inland World Logistics Pvt. Ltd,
No.17, 3rd Street,
Parameshwari Nagar,
Adyar, Chennai-600 020.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondents to consider the representation and to collect the proper PF amount with penalty from the said Inland World Logistics Pvt. Ltd Company, for the terms of remaining 22 years (Total 26 years) and credit the same in the petitioner's PF Account No.WB/CAL/24081/000/537 and disburse the same to the petitioner with interest.

For Petitioner : No Appearance

For R1 & R2 : Mr.V.Sundareswaran

For R3 : Mr.Vivek Menon for
M/s.Pushpa Menon



ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

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2. The petitioner herein, who is the erstwhile Manager of the third respondent Company, has filed the present Writ Petition seeking for issuance of a Writ of Mandamus to direct the E.P.F authorities to collect the provident fund amount with penalty from the third respondent, based on his representation given in this regard.

3. Pending the Writ Petition, the petitioner and the third respondent Company have entered into a compromise on certain terms, pursuant to which, a settlement agreement dated 12.04.2021 was entered into between them. In view of the settlement arrived, the learned counsel for the third respondent and the learned Standing Counsel for the Employees Provident Funds Organisation would submit that the Writ Petition can be closed on the basis of the settlement agreement.

4. As per the terms of the settlement agreement, the petitioner would be eligible for a total sum of Rs.3,92,500/- towards full and final settlement of all the dues, which has been paid to him, as evidenced in Clause 1.2. The petitioner has also agreed in Clause 1.7 to have the Writ petition closed on the basis of the terms of the settlement agreement.

5. In view of the amicable settlement arrived between the petitioner and the third respondent herein, the Writ Petition stands closed in terms of settlement agreement entered into between the petitioner and the third respondent on 12.04.2021. The terms of the settlement agreement shall form part of the present order.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

hvk/ata

To

1. The Assistant Provident Fund Commissioner (C&R),
Employees Provident Fund Organisation,
Regional Office,
37, Royapettah High Road,
Chennai 600 014.



2. The Recovery Officer,
Employees Provident Fund Organisation,
Regional Office,
37, Royapettah High Road,
Chennai 600 014.

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3. The Regional Manager,
Inland World Logistics Pvt.Ltd,
No.17, 3rd Street,
Parameshwari Nagar,
Adyar, Chennai-600 020.

+1cc to M/s.V.Sundareswaran, Advocate, S.R.No.47461

W.P.No.32388 of 2019

KSM(CO)
RGA(11/10/2021)