



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.12390 of 2021

and

W.M.P.Nos.25086 and 25088 of 2021

F. Christy Jone

... Petitioner

vs.

1. The Regional PF Commissioner (GR-II),
Sub Regional Office-Ambattur,
Employees' Provident Fund Organization,
R-40A, T.N.H.B Office Cum Shopping Complex,
Mogappair Road, Mogappair (East),
Chennai - 600 037.
2. M/s.Friends Missionary Prayer Brand (FMPB)
Rep.by its General Secretary,
Registered Office at
No.29, High School Road,
Ambattur, Chennai - 600 053.
3. The General Secretary,
Friends Missionary Prayer Band (FMPB)
Registered Office at
No.29, High School Road,
Ambattur, Chennai - 600 053. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the 1st respondent to initiate action against the respondents 2 and 3, on the petitioner's written complaint dated 31.03.2021 and complete the entire process, within a stipulated time as fixed by this Court.

For Petitioner : Mr.Ralph V.Manohar

For Respondents: Mrs.Sunita Kumari
Standing Counsel (for R1)
: Mr.A.M.Packianathan (for R2 & R3)



O R D E R

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to initiate action as against the 2nd and 3rd respondents, on the petitioner's written complaint dated 31.03.2021 and complete the entire process, within a stipulated time as fixed by this Court.

2. The 1st respondent has filed counter affidavit, wherein it has been stated as follows:-

"The grievance dated 31.03.2021 received in respect of the petitioner Smt.Christy Jone (UAN not furnished) stating that the establishment has not remitted the EPF/EPS Contributions from their date of joining (01.04.2015). On perusal with member ledger the establishment has not remitted for the complainant.

The grievance was forwarded to Enforcement Officer on 16.04.2021 and a letter dated 19.04.2021 was issued to the General Secretary of the establishment to Cause remittance immediately. The acknowledgment card was received and the establishment has not replied.

The Enforcement Officer on 07.09.2021 collected the EPF remittance Challans for the said member from the establishment. On perusal with member ledger and check list back log Form - 3A, the establishment has remitted for Smt.Christy Jone, (DOD 09.07.1983) W/o. Franklin Raja (TN/1963625/10849) from 01.04.2015 to 11/2019 on 07/2021, 08/2021 and on 09/2021."

3. In the light of the aforesaid statement made by the 1st respondent, the prayer sought for by the petitioner has become infructuous.

4. Accordingly, the writ petition stands dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

dm



To

1. The Regional PF Commissioner (GR-II),
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2. The General Secretary,
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3. The General Secretary,
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+1 cc to M/s.Sunithakumari Advocate sr27675
+2 ccs to Mr.Ralph V.Manohar, Advocate sr27678

W.P.No.12390 of 2021

skm(co)
aa06/06/2022