



W.P.No.7654 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.7654 of 2023

R.Rosemary

...Petitioner

Vs

1.The Regional Provident Fund Commissioner,
No.37, Royapettah High Road,
Opposite Hotel Swagath,
Azad Nagar, Royapettah,
Chennai-600 014.

2. The Assistant Provident Fund Commissioner,
O/o Sub Regional Office,
EPFO, No.66, Water Tank Road,
Nagercoil, Tamil Nadu-629001.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 03.03.2022 by granting the benefits of PF.

For Petitioner : Mr.V.Ashok Kumar

For Respondents : Mr.Su.Srinivasan



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ORDER

WEB COPY The petitioner herein had given a representation to the respondent on 03.03.2022 seeking for a direction to grant the benefits of Provident Fund. Since the said representation was not considered, the present writ petition has been filed.

2. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 03.03.2022 on its own merits and pass appropriate orders in



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accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the second respondent to consider the same on its own merits.

4. With the above direction, the Writ Petition stands disposed of.

No costs.

14.03.2023

Index:Yes/No

Speaking order/Non-speaking order

sr

To

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WEB COPY



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M.S.RAMESH,J.

SR

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