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W.P.No.9315 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.9315 of 2023

Subramani

... Petitioner

Vs.

1. Employees Provident Fund Organization,
Regional Office,
D.K. Block, Sector II,
Salt Lake City, Karunmoyee,
Kolkata – 700 091.

2. The Statesman Ltd.,
4, Chowringhe Square,
Kolkata – 700 001,
Also at 26, Fangun Mansion,
Ethirajswamy Salai,
Chennai – 600 008.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the representation dated 09.09.2022, within the time frame fixed by this Court.

For Petitioner : Mr.K. Sharath Chandran



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ORDER

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Heard Mr.K. Sharath Chandran, learned counsel for the petitioner.

2. Since this Court is directing the respondents to consider the petitioner's representation, notice to the respondents, is hereby dispensed with.

3. The petitioner herein had given a representation to the second respondent on 09.09.2022, requesting them to provide his Provident Fund Account Number, Establishment Code Number and the Universal Account Number so as to claim his pension from the first respondent. Since the said representation was not considered, the present Writ Petition has been filed.

4. 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



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Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondents herein, to consider the petitioner's representation dated 09.09.2022, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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 respondents to consider the same on its own merits.

6. With the above direction, the Writ Petition stands ordered. No costs.

27.03.2023

Speaking/Non-speaking Order
Index: Yes/No

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M.S.RAMESH, J.

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To

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