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W.P.No.20160/2019 & Batch



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 27-06-2023

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.Nos.20160, 26825, 30821, 32163 of 2019, 13468, 14512, 14515, 14519 of 2020
& 3739, 3742, 3754, 3756, 4113, 4115, 4116, 4118 of 2021

W.P.No.20160 of 2019 :

P.Chandrasekaran

...

Petitioner

-VS-

- 1.Union of India,
rep. by Secretary to Government of India,
Ministry of Labour and Employment,
Shram Shakti Bhawan, Rafi Marg,
New Delhi – 110 001.
- 2.Regional Provident Fund Commissioner-I (Pension),
Employees Provident Fund Organisation,
Bhavishya Nidhi Bhawan,
14, Bhikaji Cama Place,
New Delhi – 110 066.
- 3.Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
37, Royapettah High Road,
Chennai – 600 014.
- 4.EID Parry India Limited



5.Parry Group Staff Provident Fund (Trust) ...

Respondents

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Writ Petition Under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing respondents 3 to 5 to grant pension on higher wages under Employees Pension Scheme,1995, pursuant to the representation of the petitioner, dated 10.06.2019.

For Petitioner : Mr.S.Haroon AL Rasheed

For Respondents 1 to 3 : Mr.T.R.Sundaram,
Panel Advocate.

For Respondents 4 & 5 : No appearance

COMMON ORDER

(By *S.Vaidyanathan,J.*)

Learned counsel for the parties would submit that the issue involved in this batch of cases is already covered by a decision of the Supreme Court in *The Employees Provident Fund Organisation and Another v. Sunil Kumar B. and Others*, 2022 LiveLaw (SC) 912 = AIR 2022 SC 5634.

2. In view of the above, the same yardstick, as directed by the Apex Court in the above decision, shall be followed in this batch of cases also. We make it clear that Paragraph 4 of our order, dated 25.04.2023, shall form part of this order also. For ready reference, the said Paragraph is extracted hereunder :



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"4. If the employees could not access the site, they shall take a screenshot and enclose the same with the hard copy to enable the Employees (sic) Provident Fund Organisation to process their option forms."

3. Writ Petitions are disposed of accordingly. No costs. Consequently, the connected W.M.P.Nos.16639, 16640, 18005, 18006, 18008, 18010 and 18012 to 18018 of 2020 are closed.

Index : Yes/No

(J.S.N.P.,J.)

Internet : Yes/No

Speaking / Non-speaking Order
dixit

(S.V.N.,J.)

27-06-2023

To

1.Union of India,
rep. by Secretary to Government of India,
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3. Regional Provident Fund Commissioner,
Employees Provident Fund Organisation,
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W.P.No.20160/2019 & Batch



S.VAIDYANATHAN,J.
AND
J.SATHYA NARAYANA PRASAD,J.

dixit

W.P.No.20160 of 2019 & BATCH

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