



W.P.No.21396 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 20.07.2023**

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

**W.P.No.21396 of 2023**

R.C.Samuel Swamikkan

... Petitioner

Vs.

1. THE COMMISSIONER EMPLOYEES PROVIDENT FUND,  
OFFICE OF THE PROVIDENT FUND COMMISSIONER(CHENNAI AND  
PUDUCHERI)  
NO.37 ROYAPETTAH HIGH ROAD,  
OPP. SWAGAT HOTEL, CHENNAI-14.

2. GENERAL SECRETARY OF YOUNG MENS CHRISTIAN  
ASSOCIATION (YMCA)

YOUNG MENS CHRISTIAN ASSOCIATION (YMCA)

REGISTERED OFFICE AT NO.24/223

NSC BOSE ROAD, CHENNAI- 01.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus Directing the 1st respondent to consider the representation of the petitioner dated 29.07.2022 and thereby to disburse the Employee Provident Fund and pass appropriate orders on merits in accordance with law within a time frame fixed by this Honourable Court.

For Petitioner : Mr.G.Ilamurugu

For Respondents : Mr.K.Venkatesan, R1

**ORDER**

The petition has been filed seeking a direction to the 1st respondent to consider the representation of the petitioner dated 29.07.2022 and thereby to



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disburse the Employee Provident Fund and pass appropriate orders on merits in accordance with law.

2. It is the case of the petitioner that the petitioner was appointed as a permanent employee of the Young Mens Christial Association in the year 1981 as Account Assistant and he retired from the service by paying a sum of Rs.10,36,620/- towards retirement/terminal benefits on the date of agreement itself. However, the second respondent has not paid the Provident Fund to the petitioner. As per clause of the terms of the settlement, the petitioner is entitled to the PF amount, for which, the petitioner made a representation on 29.07.2022 to the respondents and the same is not considered and hence, the present writ petition.

3. The learned counsel for the petitioner submitted that this Court may direct the respondents to consider and pass orders on the petitioner's representation dated 29.07.2022 within the stipulated time as fixed by this Court.

4. The learned counsel for the first respondent submitted that the



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petitioner's representation will be considered and appropriate orders will be passed within the stipulated time as fixed by this Court on merits.

5. Heard the learned counsel for the petitioner and the learned Counsel for the first respondent and perused the materials available on record. Since no adverse orders are passed against the second respondent and hence, notice to the second respondent is dispensed with.

6. Taking into consideration of the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this Court directs the first respondent to consider the petitioners representation dated 29.07.2022 on merits and in accordance with law after providing opportunity to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of. No costs.

**20.07.2023**

rli



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**M.DHANDAPANI, J.**

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Index : Yes / No  
Speaking order / Non speaking order  
Netrual Citation Case : Yes / No

To

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