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W.A. No.4169 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2023

CORAM:

THE HON'BLE MR. JUSTICE S. VAIDYANATHAN
and
THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.A. No. 4169 of 2019
&
C.M.P. No. 25900 of 2019

1. Addl. Central Provident Fund
Commissioner,
HQ (Pension), Employees Provident
Fund Organisation,
Bhavishya Nidhi Bhawan,
14, Bhikaji Cama Place,
New Delhi – 110 066.
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.

..Appellants

Vs.

1. R. Sundararajan
2. P. Kandasami
3. A. Baskar
4. N. Seshadrinathan
5. J. Alphones Antony
6. A. Raja
7. S. Thangarajan
8. R. Kannapiran



W.A. No.4169 of 2019

9. T. Pavai
10. V.J. Nirmala
11. Mangaiyarkarasi
12. V. Chandran
13. C. Nallappan
14. M. Sathappan
15. R.S. Ramesh
16. K. Francis Xavier
17. C. Pandurangan
18. S. Ravindran
19. P. Babu
20. V.R. Vijayakumar
21. S. Radhakrishnan
22. R.P. Sivram
23. R. Selvaraj
24. Mariappan
25. G. Muthuswamy
26. M.S. Sivakumar
27. R. Vadivelu
28. V. Thirunavukkarasu
29. K. Thirugnanam
30. M. Sekar
31. M. Palani
32. S. Loganathan
33. K. Muruganandam
34. K. Nagarajan
35. B. Leelakrishnan
36. V. Kamaraj
37. S. Karunamoorthy
38. D. Rajendran
39. R. Amudavalli

40. Union of India rep.
by the Secretary,
Ministry of Labour and Employment,
Department of Employment,
New Delhi – 110 001.

41. The Managing Director,
The Tamilnadu State Apex
Cooperative Bank Ltd.,
233 (New No.4), NSC Bose Road,



W.A. No.4169 of 2019

Chennai – 600 001.

42. The Chairman,
The Tamilnadu State Apex Cooperative
Bank EPF Trust,
233 (New No.4) NSC Bose Road,
Chennai – 600 001.

..Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent challenging
the order dated 26.04.2019 passed in W.P. No.12849 of 2019.

For appellants :: Mr. R. Vishnu, Standing Counsel

For Respondents :: No appearance

JUDGMENT

(delivered by S. VAIDYANATHAN, J.)

This writ appeal is directed against the order dated 26.04.2019 passed by a
Single Bench of this Court in W.P. No.12849 of 2019.

2 Today, when this matter was taken up for hearing, Mr. Vishnu,
learned Standing Counsel for the appellants/EPFO submitted that the issue
involved in this writ appeal is covered by the order passed by a Coordinate Bench
of this Court in **P. Chandrasekaran v Union of India & 4 others**¹, in which, one
of us (SVNJ) was a member, which was rendered following the 3 Judge Bench
judgment of the Supreme Court in **The EPFO and another v Sunil Kumar B.**



and others, *etc.*².

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3 However, according to Mr. Vishnu, paragraph 4 of the order passed by this Court in **P. Chandrasekaran**, *supra*, which reads as under, cannot survive any more, in view of the fact that the time granted by the Supreme Court in **Sunil Kumar B.**, *supra*, had already expired on 11.07.2023:

“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.”

The submission made by Mr. Vishnu in paragraph 3, *supra*, is recorded and in view of the submission made by him in paragraph 2, *supra*, this writ appeal also is disposed of on the same terms in which **P. Chandrasekaran**, *supra*, was disposed of. No costs. Connected C.M.P. is closed.

(S.V.N., J.) (K.R.S., J.)
25.09.2023

nv

To

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W.A. No.4169 of 2019

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New Delhi – 110 066.

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Employees Provident Fund Organisation,
37, Royapettah High Road,
Chennai – 600 014.
4. The Secretary,
Ministry of Labour and Employment,
Department of Employment,
New Delhi – 110 001.
5. The Managing Director,
The Tamilnadu State Apex
Cooperative Bank Ltd.,
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S. VAIDYANATHAN, J.

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