



WEB COPY



W.A. No.4165 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. 4165 of 2019
&
C.M.P. No. 25894 of 2019

1. The Employees Provident Fund
Organisation represented by the
Chief Provident Commissioner,
Bhavishya Nidhi Bhavan,
14, Bhikaji Cama Palace,
New Delhi 110 066.
2. Regional Provident Fund Commissioner,
The Employees Provident Fund
Organisation,
Chennai.

..Appellants

Vs.

1. V. Joseph Raj
2. Viswanathan .S
3. Seenivasagam S.
4. N. Gangadharan
5. Subir Banerjee
6. C. Boothalingam
7. K. Gajendran
8. P. Guruprasad Anand
9. D. Karkavel Rajan
10. R. Selvaraj
11. R. Sivaperuman
12. G. Ramadoss
13. D. Paul Kanagaraj
14. M. Sekar
15. N. Seshan
16. A.R.Nagarajan



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17. Chitra Venkatesh
18. K.S. Ravichandran
19. R.N. Jagannathan
20. V. Kasiviswanathan
21. S.R. Srinivasan
22. D. Sridhar Rao
23. V. Somasundaram
24. UIHAS V. Dabholkar
25. A. Jagannadham
26. A.I. Dhasan
27. P.L. Vasudevan
28. Rajinder Krishnan Zijoo

29. Union of India rep. by the
Secretary,
Ministry of Labour & Employment,
New Delhi – 110 001.

30. Ashok Leyland Limited,
1, Sardar Patel Road, Guindy,
Chennai – 600 032
rep.by its Managing Director

..Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent challenging the order dated 24.04.2019 passed in W.P. No.3360 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 24.04.2019 passed by a Single Bench of this Court in W.P. No.3360 of 2019.

<https://www.mhc.tn.gov.in/judis>

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.

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



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S. VAIDYANATHAN, J.

and

K. RAJASEKAR, J.

nv

To

1. The Employees Provident Fund
Organisation represented by the
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